Statutory Planning Committee
Minutes

Wednesday, 10 June, 2026

Members:	Commissioner Cole - Chairperson Commissioner Haeren - Deputy Chairperson Commissioner Adair Commissioner Brookes Member Harman Member Franklin Member Knight
Apologies:	Commissioner Lakey Member Moore
Others present:	Lauren Aitken - Director, Office of Director General Tanvir Asgar - Engineering Manager, Infrastructure Policy and Planning Tia Byrd - A/Assistant Director General, Land Use Planning Seth Cohen-Radosevich - A/Planning Manager, Significant Development Assessment Unit Donal Casey - A/Planning Manager, Schemes and Strategies Christine Collins - A/Planning Director, Schemes and Strategies Paola Di Perna - Planning Director, Significant Development Assessment Unit Tristan Emrich - Commission Support Team Leader Cate Gustavsson - Executive Planning Director, Regional Ann Harrop - A/Planning Director, Metro South Martin Hughes - Principal Planner, Regional South Mark Jendrzejczak - Planning Manager, Regional South Sam Lissiman - Senior Planner, Metro South West Katina Marchbank - Principal Planner, Significant Development Assessment Unit Jonathan Mesnard - Manager, Commission Business Rohan Miller - A/Executive Planning Director, Metropolitan Irene Obales - Senior Commission Support Officer Amy Pires - Governance Officer, Commission Support Mia Ramsay - Commission Support Officer Dale Sanderson - Planning Director, Metro Central Jeremy Thompson - Senior Planner, Metro Central North Carolyn Vyner - Principal Planner, Metro Central Kelsey Whitwell - Senior Planning Officer, Metro Central North Travis Wright - A/Principal Planner, Schemes and Strategies

1. Meeting Opening and Commencement

The Chairperson declared the meeting open at 10:10am.

1.1 Acknowledgement of Country

The Chairperson acknowledged the Whadjuk people of the Noongar Nation as the Traditional Owners and custodians of the land on which the meeting is taking place and welcomed members.

1.2 Apologies and leave of absence

Commissioner Lakey - Apology

Member Moore - Leave of absence

Member Franklin requested a leave of absence for 17 July 2026 to 27 July 2026 inclusive.

1.3 Disclosure of interests

Commissioner Brookes declared an Indirect Pecuniary Interest on Item 3.1 - City of Busselton - Lot 6 Commonage Road Structure Plan - Determination. Commissioner Brookes advised that Urbaqua have provided water management services to Urban Quarter associated with their developments, including groundwater licensing support in the Dunsborough area. Commissioner Brookes further advised Urbaqua are not involved with this proposal. Members agreed that Commissioner Brookes should not be present during the discussion and decision-making procedure on the item.

Commissioner Brookes declared a Direct Pecuniary Interest on Item 3.2 - Standard Structure Plan - Tuart Lakes Lifestyle Village Structure Plan - Determination. Commissioner Brookes advised that Urbaqua are currently contracted to complete the Local Water Management Report in support of this Structure Plan. Members agreed that Commissioner Brookes should not be present during the discussion and decision-making procedure on the item.

Member Franklin declared an Indirect Pecuniary Interest on Item 3.2 - Standard Structure Plan - Tuart Lakes Lifestyle Village Structure Plan - Determination. Member Franklin advised that as the principal planner for Franklin Planning, they provide sub-consultant planning services to Hames Sharley (Urban Development Portfolio) which is contracted to the City of Rockingham to prepare its Strategy and Planning Scheme. Member Franklin further advised that as part of engagement with the City, they have not been directly involved in work or deliberations on this proposal on behalf of the City. Members agreed that Member Franklin should not

be present during the discussion and decision-making procedure on the item.

Commissioner Haeren declared an Indirect Pecuniary Interest on Item 3.3 - Precinct Structure Plan - Canning Bridge Activity Centre Plan (2016) - Amendment No. 7 - Determination. Commissioner Haeren advised that they were engaged by the City of Melville to provide strategic advice on structure planning of station precincts at Bull Creek and Murdoch in the current fiscal year. Members agreed that Commissioner Haeren should not be present during the discussion and decision-making procedure on the item.

Commissioner Adair declared an Actual Impartiality Interest on Item 3.5 - Part 11B Development Application - Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes - Determination. Commissioner Adair advised that they have a family member who works at Lavan, who have made a deputation on this matter. Members agreed that Commissioner Adair should not be present during the discussion and decision-making procedure on the item.

Commissioner Haeren declared a Perceived Impartiality Interest and an Indirect Pecuniary Interest on Item 3.6 - Part 11B Development Application - Mixed-use development at 930 Albany Highway, East Victoria Park - Determination. Commissioner Haeren advised that they are a resident of the Town of Victoria Park. Commissioner Haeren further advised that they own property in East Victoria Park, however, it is some distance from the subject site, being the other side of Shepperton Road. Commissioner Haeren further advised that they assisted the Town of Victoria Park on the Oats Street Station Precinct Structure Plan whilst with their previous employer Urbis, and that Commissioner Haeren is currently contracted to Urbis on another project. Members agreed that Commissioner Haeren should not be present during the discussion and decision-making procedure on the item.

Member Harman declared an Actual Impartiality Interest on Item 4.1 - City of Swan - Local Planning Scheme No. 17, Amendment No. 191 (Complex) - Recommendation to Minister. Member Harman advised that they are employed by Satterley Property Group who was involved in the development of The Reserve estate which is part of the broader Vines development. Members agreed that Member Harman should not be present during the discussion and decision-making procedure on the item.

Commissioner Adair declared a Perceived Impartiality Interest on Item 4.1 - City of Swan - Local Planning Scheme No. 17, Amendment No. 191 (Complex) - Recommendation to Minister. Commissioner Adair advised that they wish to step out on this matter on a Perceived Impartiality Interest, noting the Vines Residents and Ratepayers Association have

made a deputation on this item and have sought judicial review arising from her participation in the Statutory Planning Committee's consideration of proposed Amendment 9 to the City of Swan Structure Plan 37 at its meeting of 18 June 2025. Neither the subject proposal nor those proceedings, which are presently before the Supreme Court, give rise to any interest on Commissioner Adair's part which could affect her ability to bring an impartial mind to consideration of item 4.1 of today's agenda. However, Commissioner Adair's preference was to step out on the item on a Perceived Impartiality Interest. Members accepted that Commissioner Adair will absent herself from the discussion and decision-making procedure on the item.

Commissioner Haeren declared an Indirect Pecuniary Interest on Item 4.1 - City of Swan - Local Planning Scheme No. 17, Amendment No. 191 (Complex) - Recommendation to Minister. Commissioner Haeren advised that Urbis prepared the Visual Impact Assessment report on this matter and that Commissioner Haeren is currently contracted to Urbis on another project. Members agreed that Commissioner Haeren should not be present during the discussion and decision-making procedure on the item.

The Western Australian Planning Commission is both a landowner and a decision maker in relation to Item 3.4 - Part 11B DA - Construction of Residential Apartments at 407-409 Charles Street, North Perth - Determination and Development Application - Works within Planning Control Area abutting 407-409 Charles Street, North Perth - Determination. This is an interest in common shared by members and is not considered to prejudice their ability to impartially determine the matter.

1.4 Disclosures of representation

Commissioner Cole declared a Disclosure of Representation on Item 3.1 - City of Busselton - Lot 6 Commonage Road Structure Plan - Determination. Commissioner Cole advised that they met with representatives of the Dunsborough East Landowner Group in the normal course of their duties as Chair. The Group have previously advocated for employment land in the Lot 6 Commonage Road Structure Plan. Commissioner Cole has not been provided with any additional information to that provided to members.

Commissioner Cole declared a Disclosure of Representation on Item 3.3 - Precinct Structure Plan - Canning Bridge Activity Centre Plan (2016) - Amendment No. 7 - Determination. Commissioner Cole advised that they met with representatives of the City of Melville over a year ago in relation to the Canning Bridge Activity Centre Plan in the normal course of their duties as Chair. Commissioner Cole has not been provided with any additional information to that provided to members.

1.5 Declaration of due consideration

All members indicated that they had received and considered the agenda items prior to the Statutory Planning Committee meeting.

1.5.1 Additional Information for Members

Members noted receipt of additional information provided in response to questions following publication of the agenda.

1.6 Confirmation of Previous minutes - Wednesday, 13 May 2026

Moved by Member Franklin
Seconded by Commissioner Adair

That the minutes of the Statutory Planning Committee meeting held on Wednesday, 13 May 2026, be confirmed as a true and correct record of the proceedings.

The motion was put and carried

2. Deputations and presentations

2.25 City of Swan – Local Planning Scheme No. 17, Amendment No. 191 (Complex) – Recommendation to Minister (Item 4.1)

Written Submission: Dixon Lowe - Vines Residents and Ratepayers Association and Swan Community Environmental Alliance

Members noted the written submission on Item 4.1 - City of Swan - Local Planning Scheme No. 17, Amendment No. 191 (Complex) - Recommendation to Minister.

2.26 City of Swan – Local Planning Scheme No. 17, Amendment No. 191 (Complex) – Recommendation to Minister (Item 4.1)

Written Submission: Andrew McLane – Indara Pty Ltd

Members noted the written submission on Item 4.1 - City of Swan - Local Planning Scheme No. 17, Amendment No. 191 (Complex) - Recommendation to Minister.

PROCEDURAL MOTION

Members moved a motion to close the meeting to members of the public to allow confidential Item 4.2 to be brought forward.

Moved by Member Knight
Seconded by Member Franklin

The Statutory Planning Committee move to the consideration of confidential Item 4.1 - City of Swan – Local Planning Scheme No. 17, Amendment No. 191 (Complex) – Recommendation to Minister for discussion, decision or noting and resolve, pursuant to Regulation 27 of the Planning and Development (Western Australian Planning Commission) Regulations 2024, that the meeting be closed to members of the public.

The motion was put and carried

4. Confidential items for discussion, decision or noting

4.1 City of Swan – Local Planning Scheme No. 17, Amendment No. 191 (Complex) – Recommendation to Minister (TPS/2999)

Commissioner Adair declared a Perceived Impartiality Interest on Item 4.1 and left the meeting at 10:22am.

Member Harman declared an Actual Impartiality Interest on Item 4.1 and left the meeting at 10:22am.

Commissioner Haeren declared an Indirect Pecuniary Interest on Item 4.1 once confirmed that Urbis prepared the Visual Impact Assessment report on this matter. The item did not proceed to briefing, questions or deliberation and was withdrawn due to loss of quorum.

Commissioner Adair and Member Harman returned to the meeting at 10:29am.

2. Deputations and presentations

2.5 Standard Structure Plan - Tuart Lakes Lifestyle Village Structure Plan – Determination (Item 3.2)

Commissioner Brookes declared a Direct Pecuniary Interest on Item 3.2 and left the meeting at 10:31am.

Member Franklin declared an Indirect Pecuniary Interest on Item 3.2 and left the meeting at 10:31am.

Presenter: Brett Ashby - City of Rockingham

Brett Ashby made a deputation to the Statutory Planning Committee regarding Item 3.2 - Standard Structure Plan - Tuart Lakes Lifestyle Village Structure Plan - Determination.

2.6 Standard Structure Plan - Tuart Lakes Lifestyle Village Structure Plan – Determination (Item 3.2)

Presenters: Steve Allerding, Tom Hockley and Simon Armstrong - Allerding and Associates

Steve Allerding, Tom Hockley and Simon Armstrong made a deputation to the Statutory Planning Committee regarding Item 3.2 - Standard Structure Plan - Tuart Lakes Lifestyle Village Structure Plan - Determination.

3. Non-confidential items for discussion, decision or noting

3.2 Standard Structure Plan - Tuart Lakes Lifestyle Village Structure Plan - Determination (SPN/2435)

REASONS FOR DECISION

Members discussed their reasons for supporting the proposal and outlined the following:

- Satisfaction with the level of connectivity proposed and the additional technical advice of the Department on this matter, having given due regard to the position of the City of Rockingham in seeking additional connectivity.

- The reasonable and balanced approach taken by the proposal, in the context of the existing land uses and alternative access options.

Members agreed to endorse the recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the Department's report.

Moved by Commissioner Haeren
Seconded by Commissioner Adair

That the Statutory Planning Committee, acting in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 4, clause 22(1)(b), to:

1. *require the draft Tuart Lakes Lifestyle Village Structure Plan be modified in accordance with the attached schedule of modifications (Attachment 7); and*

2. *require the modified Tuart Lakes Lifestyle Village Structure Plan be submitted to the Western Australian Planning Commission for its consideration.*

The motion was put and carried

Member Franklin returned to the meeting at 10:53am.

2. Deputations and presentations

2.1 City of Busselton - Lot 6 Commonage Road Structure Plan – Determination (Item 3.1)

Commissioner Brookes declared an Indirect Pecuniary Interest on Item 3.1 and remained out of the meeting.

Presenter: Jeff Forrest - Dunsborough Reference Group

Jeff Forrest made a deputation to the Statutory Planning Committee regarding Item 3.1 - City of Busselton - Lot 6 Commonage Road Structure Plan – Determination.

2.2 City of Busselton - Lot 6 Commonage Road Structure Plan – Determination (Item 3.1)

Presenters: Lea Bingemann and John Barker - Resident

Lea Bingemann and John Barker made a deputation to the Statutory Planning Committee regarding Item 3.1 - City of Busselton - Lot 6 Commonage Road Structure Plan – Determination.

2.3 City of Busselton - Lot 6 Commonage Road Structure Plan – Determination (Item 3.1)

Presenter: Dane Gaunt - Rise Urban

Dane Gaunt made a deputation to the Statutory Planning Committee regarding Item 3.1 - City of Busselton - Lot 6 Commonage Road Structure Plan – Determination.

2.4 City of Busselton - Lot 6 Commonage Road Structure Plan – Determination (Item 3.1)

Presenters: Fraser McInnes - Urban Quarter; and Frank Arangio - CDP Town Planning

Fraser McInnes and Frank Arangio made a deputation to the Statutory Planning Committee regarding Item 3.1 - City of Busselton - Lot 6 Commonage Road Structure Plan – Determination.

Commissioner Brookes returned to the meeting at 11:20am.

2.7 Precinct Structure Plan – Canning Bridge Activity Centre Plan (2016) – Amendment No. 7 – Determination (Item 3.3)

Commissioner Haeren declared an Indirect Pecuniary Interest on Item 3.3 and left the meeting at 11:20am.

Presenters: Lena Jaetschmann, David Maiorana and Eamon Ryan - Rowe Group

Lena Jaetschmann, David Maiorana and Eamon Ryan made a deputation to the Statutory Planning Committee regarding Item 3.3 - Precinct Structure Plan - Canning Bridge Activity Centre Plan (2016) - Amendment No. 7 - Determination.

Commissioner Haeren returned to the meeting at 11:25am.

2.8 Part 11B DA – Construction of Residential Apartments at 407-409 Charles Street, North Perth – Determination and Development Application – Works within Planning Control Area abutting 407-409 Charles Street, North Perth – Determination (Item 3.4)

Presenters: Michael Hancock and Mayor Alison Xamon - City of Vincent

Michael Hancock and Mayor Alison Xamon made a deputation to the Statutory Planning Committee regarding Item 3.4 - Part 11B DA - Construction of Residential Apartments at 407-409 Charles Street, North Perth - Determination and Development Application - Works within Planning Control Area abutting 407-409 Charles Street, North Perth - Determination.

2.9 Part 11B DA – Construction of Residential Apartments at 407-409 Charles Street, North Perth – Determination and Development Application – Works within Planning Control Area abutting 407-409 Charles Street, North Perth – Determination (Item 3.4)

Presenters: Jacqui Hall and Ben Doyle - Planning Solutions; Sam Klopper and Stian Stutlien - Klopper & Davis Architects; Ann Brouwer - Talis consultants; and Scott Lambie - PTG

Jacqui Hall, Ben Doyle, Sam Klopper, Stian Stutlien, Ann Brouwer and Scott Lambie made a deputation to the Statutory Planning Committee regarding Item 3.4 - Part 11B DA - Construction of Residential Apartments at 407-409 Charles Street, North Perth - Determination and Development Application - Works within Planning Control Area abutting 407-409 Charles Street, North Perth - Determination.

2.10 Part 11B Development Application – Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes – Determination (Item 3.5)

Commissioner Adair declared an Actual Impartiality Interest on Item 3.5 and left the meeting at 11:50am.

Presenters: Craig Wallace - Lavan; and Darren Blowes - CL Holdings

Craig Wallace and Darren Blowes made a deputation to the Statutory Planning Committee regarding Item 3.5 - Part 11B Development Application - Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes - Determination.

Commissioner Haeren left the meeting at 12:00pm and did not return.

2.11 Part 11B Development Application – Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes – Determination (Item 3.5)

Presenters: Clayton Plug and Jayde Sleight - Harley Dykstra; and Leah Butler - Champion Lakes Lifestyle Village

Clayton Plug, Jayde Sleight and Leah Butler made a deputation to the Statutory Planning Committee regarding Item 3.5 - Part 11B Development Application - Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes - Determination.

Commissioner Adair returned to the meeting at 12:04pm.

2.12 Part 11B Development Application - Mixed-use development at 930 Albany Highway, East Victoria Park – Determination (Item 3.6)

Presenter: Robert Cruickshank - Town of Victoria Park

Robert Cruickshank made a deputation to the Statutory Planning Committee regarding Item 3.6 - Part 11B Development Application - Mixed-use development at 930 Albany Highway, East Victoria Park - Determination.

2.13 Part 11B Development Application - Mixed-use development at 930 Albany Highway, East Victoria Park – Determination (Item 3.6)

Presenters: Alan Stewart - Lateral Planning; and Simon Walker - Modus Design

Alan Stewart and Simon Walker made a deputation to the Statutory Planning Committee regarding Item 3.6 - Part 11B Development

Application - Mixed-use development at 930 Albany Highway, East Victoria Park - Determination.

2.14 City of Busselton - Lot 6 Commonage Road Structure Plan – Determination (Item 3.1)

Written Submission: Ingrid Spelman - Resident

Members noted the written submission on Item 3.1 - City of Busselton - Lot 6 Commonage Road Structure Plan - Determination.

2.15 Precinct Structure Plan – Canning Bridge Activity Centre Plan (2016) – Amendment No. 7 – Determination (Item 3.3)

Written Submission: Margaret Sandford - Council Reference Group (CRG)

Members noted the written submission on Item 3.3 - Precinct Structure Plan - Canning Bridge Activity Centre Plan (2016) - Amendment No. 7 - Determination.

2.16 Precinct Structure Plan – Canning Bridge Activity Centre Plan (2016) – Amendment No. 7 – Determination (Item 3.3)

Written Submission: Clive Ross - Elected Member Applecross Ward City of Melville

Members noted the written submission on Item 3.3 - Precinct Structure Plan - Canning Bridge Activity Centre Plan (2016) - Amendment No. 7 - Determination.

2.17 Precinct Structure Plan – Canning Bridge Activity Centre Plan (2016) – Amendment No. 7 – Determination (Item 3.3)

Written Submission: Gail Bowman - City of Melville

Members noted the written submission on Item 3.3 - Precinct Structure Plan - Canning Bridge Activity Centre Plan (2016) - Amendment No. 7 - Determination.

2.18 Precinct Structure Plan – Canning Bridge Activity Centre Plan (2016) – Amendment No. 7 – Determination (Item 3.3)

Written Submission: Kim Ribbink - Resident

Members noted the written submission on Item 3.3 - Precinct Structure Plan - Canning Bridge Activity Centre Plan (2016) - Amendment No. 7 - Determination.

2.19 Part 11B DA – Construction of Residential Apartments at 407-409 Charles Street, North Perth – Determination and Development Application – Works within Planning Control Area abutting 407-409 Charles Street, North Perth – Determination (Item 3.4)

Written Submission: Dylan Panizza – Resident

Members noted the written submission on Item 3.4 - Part 11B DA - Construction of Residential Apartments at 407-409 Charles Street, North Perth - Determination and Development Application - Works within Planning Control Area abutting 407-409 Charles Street, North Perth - Determination.

2.20 Part 11B DA – Construction of Residential Apartments at 407-409 Charles Street, North Perth – Determination and Development Application – Works within Planning Control Area abutting 407-409 Charles Street, North Perth – Determination (Item 3.4)

Written Submission: Keenan Maes - Resident

Members noted the written submission on Item 3.4 - Part 11B DA - Construction of Residential Apartments at 407-409 Charles Street, North Perth - Determination and Development Application - Works within Planning Control Area abutting 407-409 Charles Street, North Perth - Determination.

2.21 Part 11B DA – Construction of Residential Apartments at 407-409 Charles Street, North Perth – Determination and Development Application – Works within Planning Control Area abutting 407-409 Charles Street, North Perth – Determination (Item 3.4)

Written Submission: Justin Oud - Resident

Members noted the written submission on Item 3.4 - Part 11B DA - Construction of Residential Apartments at 407-409 Charles Street, North Perth - Determination and Development Application - Works within Planning Control Area abutting 407-409 Charles Street, North Perth - Determination.

2.22 Part 11B DA – Construction of Residential Apartments at 407-409 Charles Street, North Perth – Determination and Development Application – Works within Planning Control Area abutting 407-409 Charles Street, North Perth – Determination (Item 3.4)

Written Submission: Ryan Faranda - Resident

Members noted the written submission on Item 3.4 - Part 11B DA - Construction of Residential Apartments at 407-409 Charles Street, North Perth - Determination and Development Application - Works within Planning Control Area abutting 407-409 Charles Street, North Perth - Determination.

2.23 Part 11B Development Application – Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes – Determination (Item 3.5)

Written Submission: Darren Blowes - CL Holdings

Members noted the written submission on Item 3.5 - Part 11B Development Application - Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes - Determination.

2.24 Part 11B Development Application – Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes – Determination (Item 3.5)

Written Submission: M Wood - Resident

Members noted the written submission on Item 3.5 - Part 11B Development Application - Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes - Determination.

The Chairperson declared a break at 12:26pm.

The meeting resumed at 12:31pm.

3. Non-confidential items for discussion, decision or noting

3.1 City of Busselton - Lot 6 Commonage Road Structure Plan - Determination (SPN/2431)

Commissioner Brookes declared an Indirect Pecuniary Interest on Item 3.1 and left the meeting at 12:32pm.

REASONS FOR DECISION

Members discussed their reasons for supporting the proposal and outlined the following:

- This proposal facilitates the next steps in the development of this land, providing essential housing choice in a manner consistent with the strategic direction for Dunsborough.

- Alignment with SPP6.1 is thoroughly addressed, including through modifications regarding landscape buffers and tree retention.

- The suitability of the site for employment land had been considered through the recent rezoning of the land from Light Industry to Urban Development, with factors considered including its size, environmental constraints, access and proximity to established residential areas.

- Whilst employment land, beyond that provided in the Local Centre, was not considered suitable within the structure plan area, it was recognised that strategic consideration of employment land in Dunsborough is important.

Members agreed to endorse the recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the Department's report.

Moved by Member Harman
Seconded by Member Franklin

That the Statutory Planning Committee resolves under Schedule 2, Part 4, cl22(1)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015 to require the local government to modify the proposed Lot 6 Commonage Road Structure Plan in accordance with the attached schedule of modifications (Attachment 9) and resubmit the modified plan to the Commission for approval.

The motion was put and carried

Commissioner Brookes returned to the meeting at 12:34pm.

3.3 Precinct Structure Plan – Canning Bridge Activity Centre Plan (2016) – Amendment No. 7 – Determination (SPN/0754M-8)

REASONS FOR DECISION

Members discussed their reasons for supporting the proposal and outlined the following:

- The Community Benefit Framework has been significantly simplified and is consistent with the approach taken in similar activity centres in South Perth and Leederville.

- Capping height bonuses strikes the right balance between providing a level of certainty for residents and appropriate development opportunity for developers.

- The proposal addresses the ability to meet infill targets, while dealing with key design issues that have been seen in the Activity Centre, including better podium outcomes, tower separation and setbacks, landscape outcomes to better support street character, and reduced overshadowing and transitioning impacts.

Members agreed to endorse the recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the Department's report.

Moved by Member Harman
Seconded by Member Knight

That the Statutory Planning Committee resolves to:

1. *under clause 22 of Schedule 2 – Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, require the City of Melville to:*

   (a) modify Amendment No. 7 to the Canning Bridge Activity Centre Plan in accordance with A14 - Schedule of Modifications; and

   (b) resubmit the modified plan to the Western Australian Planning Commission for approval.

2. *under clause 29(4) of Schedule 2 - Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, agree to extend the period of approval for 10 years commencing on the day which the Western Australian Planning Commission approves the modified plan.*

The motion was put and carried

3.4 Part 11B DA – Construction of Residential Apartments at 407-409 Charles Street, North Perth – Determination and Development Application – Works within Planning Control Area abutting 407-409 Charles Street, North Perth – Determination (SD-049-2533-50195-1)

REASONS FOR DECISION

Members agreed to endorse the Part A recommendation of the Department of Planning, Lands and Heritage for the reasons outlined in the Department's report, subject to amendment of Recommendation 2 to alter the substantial commencement timeframe from 3 years to 4 years aligning with the Part 11b application for the subject site.

PART A - AMENDED RECOMMENDATION

Moved by Commissioner Adair
Seconded by Member Franklin

PART A

That the Statutory Planning Committee resolves:

Under s.116(1)(b) of the Planning and Development Act 2005 to approve development application reference 33-50195-1 and accompanying plans (date-stamped 20 May 2026) for the proposed crossover and landscaping located at 407-409 Charles Street, North Perth, subject to the following:

1. *This approval only relates to portions of the development located within Planning Control Area 167.*

2. *The development approval is valid for four years from the date of this letter. If the subject development is not substantially commenced within a four-year period, the approval shall lapse and be of no further effect.*

3. *Development within Planning Control Area 167 is approved on a temporary basis and is to be removed at the landowner's cost, should the land be required for the purpose of widening Charles Street in the future.*

4. *Landscaping within Planning Control Area 167 is to be maintained so as to preserve sightlines for vehicles entering or exiting the site.*

Advice

(a) The applicant is advised that crossover(s) are to be designed and constructed to the specification and satisfaction of the City of Vincent. Any redundant vehicle crossovers and/or infrastructure within the Charles Street road reserve are to be removed and the land reinstated with paving, footpath and/or landscaping.

The motion was put and carried

REASONS FOR DECISION

Members discussed their reasons for supporting the proposal and outlined the following:

- The reduced car parking provision is a reasonable outcome given the type of development, location within a transit corridor, proximity to the CBD, with access to public transport and walkable amenities and ample bicycle and motorcycle parking.

- The importance of diverse development in the area, noting the change that comes with being the first development of scale in a transit corridor location where density is supported under the state and local planning frameworks.

- Reference to the City of Vincent intention not to issue parking permits to the residents of the development will be included in the Parking Management Plan.

- The City of Vincent has restricted parking on local streets, and it is within their remit to review further if there is seen to be a negative impact from this development on parking in the locality.

- The development presents a high-quality design outcome, with appropriate height, bulk, landscaping, and positive contribution to the streetscape.

- The planning discretion required is minor and acceptable with the development site determined to be 1,882 square metres, noting that with the Planning Control Area, the development site would be 2,040 square metres, which would meet the requirement for R100 coding.

Members agreed to endorse the Part B recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the Department's report.

PART B - REPORT RECOMMENDATION

Moved by Commissioner Brookes
Seconded by Member Harman

PART B

That the Statutory Planning Committee resolves:

A. to note this application is not capable of being determined under the applicable planning instrument, being the City of Vincent Local Planning Scheme No. 2, and is seeking discretion under s.171R(1)(b) of the Planning and Development Act 2005 and it has been considered and determined accordingly; and

B. under s.171P(1) of the Planning and Development Act 2005, to approve development application reference SD-049-25 and accompanying plans (date-stamped 13 May 2026) for Proposed Residential Apartments at Lots 888 and 33 (Nos. 407 & 409) Charles Street, North Perth, subject to the following:

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 13 May 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent.*

3. *A copy of the final working drawings (prepared for submission of relevant building permit applications) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission.*

Materials and Finishes

4. *The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans, including elevations and perspectives (other than as amended by conditions of approval), to the satisfaction of the Western Australian Planning Commission.*

5. *Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), to the satisfaction of the Western Australian Planning Commission.*

Construction

6.
   (a) *Prior to submission of the relevant building permit application, a Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Vincent. The Plan is to address the following, but not limited to:*

i. *hours of construction;*
ii. *temporary fencing, hoardings, gantries, and signage;*
iii. *site access and egress;*
iv. *construction traffic management;*
v. *pedestrian and cyclist management and any footpath obstructions;*
vi. *parking arrangements for staff and contractors;*
vii. *deliveries and storage of construction materials and machinery;*
viii. *management of vibration, dust, and erosion;*
ix. *management of any site dewatering or stormwater discharge;*
x. *management of construction noise and other site generated noise;*
xi. *demolition and construction waste management, recycling, and removal;*
xii. *protection of street trees and public realm infrastructure; and*
xiii. *public communication and complaint handling procedures.*

(b) The approved Construction Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

Transport, Access and Parking

7.

(a) Prior to submission of the relevant building permit application, a Construction Traffic Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from Main Roads WA, the Public Transport Authority and the City of Vincent.

(b) The approved Construction Traffic Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

8.

(a) Prior to occupation of the development, certification is to be provided by a suitably qualified professional confirming that all points of ingress and egress, vehicle accessways, loading bays, car parking spaces, universal access, and bicycle parking are consistent with the approved plans and have been constructed, drained, sealed and marked in accordance with the relevant Australian Standard, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent.

(b) All parking bays, driveways and access points shall be maintained by the owners and/or managers of the development

to the satisfaction of the Western Australian Planning Commission.

(c) Prior to occupation of the development, the visitor car parking spaces are to be marked and clearly signposted as dedicated for visitor use only, to the satisfaction of the Western Australian Planning Commission.

9.

(a) Prior to occupation of the development, a Parking Management Plan shall be submitted to, and approved by, the Western Australian Planning Commission on advice from the City of Vincent. The Parking Management Plan is to include detailed management measures for the operation of the visitor car parking, a vehicular entry gate, which is a minimum 50% visually permeable and ensure parking areas remain unobstructed.

(b) The approved Parking Management Plan is to be implemented by the owners/occupiers/strata managers of the development to the satisfaction of the western Australian Planning Commission.

Water Management

10.

(a) Prior to submission of the relevant building permit application, an updated Water Management Plan is to be submitted to and approved by the Western Australia Planning Commission, on advice from the Water Corporation, Main Roads Western Australia and the City of Vincent, demonstrating the adequate on-site retention and disposal of all storm water.

(b) The approved Water Management Plan is to be implemented to the satisfaction of the Western Australian Planning Commission.

Waste Management and Servicing

11.

(a) Prior to submission of the relevant building permit application, the Waste Management Plan (date-stamped 9 March 2026) is to be updated to reflect the detailed design and be submitted to and approved by the Western Australian Planning Commission, on advice from Main Roads Western Australia and the City of Vincent.

(b) The approved Waste Management Plan is to be implemented and adhered to by the owners and/or managers of the

development, to the satisfaction of the Western Australian Planning Commission.

Noise Management

12.

(a) Prior to submission of the relevant building permit application, the Acoustic Report (date-stamped 27 November 2025) is to be modified to reflect the approved development plans and be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Vincent.

(b) Prior to submission of the relevant building permit application, details are to be provided confirming the recommendations of the approved Acoustic Report have been included in the development plans, to the satisfaction of the Western Australian Planning Commission.

(c) Prior to occupation of the development, certification is to be provided from a qualified acoustic consultant confirming the recommendations of the approved Acoustic Report have been implemented in the completed development, to the satisfaction of the Western Australian Planning Commission.

Amalgamation, Notifications and Easements

13. Prior to occupation of the development, suitable arrangements are to be made for Lots 888 and 33, as shown on the development plans, to be legally amalgamated into a single freehold lot on one Certificate of Title, at the landowner's expense, to the satisfaction of the Western Australian Planning Commission.

14. Prior to occupation of the development, the landowner is to register on the certificate/s of title a notification, pursuant to section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:

"The lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected, by transport noise. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction."

15.

(a) Prior to submission of the relevant building permit application, 20% of proposed dwellings are to be capable of adaption in

accordance with the Livable Housing silver design standards and the Residential Design Codes, with final details submitted to and approved by the Western Australian Planning Commission.

(b) Prior to occupation of the development, the landowner/applicant is to demonstrate the minimum number of adaptable dwellings have been provided in accordance with the approved developments plans.

Landscaping

16.

(a) Prior to the submission of the relevant building permit application, updated detailed landscaping plans and specifications are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Vincent.

(b) The approved landscape plan/s is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

(c) No verge trees shall be removed without the prior written approval of the City of Vincent. Verge trees shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared and submitted to the City.

(d) Prior to occupation of the development, certification that the landscape areas and reticulation has been completed in accordance with the approved Landscaping Plan and specifications is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent.

17. Prior to submission of the relevant building permit application, a Tree Protection Plan, including tree protection zones, prepared in accordance with AS4970:2009, is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent, detailing protection and care of street trees during construction.

Public Art

18.

(a) Prior to submission of the relevant building permit application, a public art concept for the development to the value of 1.0% of the Total Project Cost, in accordance with the City of Vincent

Local Planning Policy - Percent for Art Policy is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Vincent.

(b) Prior to the occupation of the development, the approved public art is to be installed by the developer and maintained thereafter by the landowners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent.

Sustainability

19.

(a) Prior to submission of the relevant building permit application, the Sustainability Strategy date-stamped 19 January 2026 (Revision 003) is to be updated to detail the sustainability initiative(s) to be implemented within the development, demonstrating that the development achieves a minimum 8.4 star NatHERS rating, is to be submitted to and approved by the Western Australian Planning Commission. The initiatives are to be incorporated in the final drawings and documents.

(b) Prior to occupation of the development, documentation from a suitably qualified professional is to be provided certifying that the sustainability measure(s) identified within the approved Sustainability Strategy have been implemented to the satisfaction of the Western Australian Planning Commission.

(c) The accepted sustainability initiatives shall be incorporated into the development and thereafter maintained by the landowner and/or managers of the development to the satisfaction of the Western Australian Planning Commission.

Utilities and Facilities

20. Prior to submission of the relevant building permit application, details of any proposed air-conditioning condensers, external building plant, piping, ducting, or transformers being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on the residential dwellings and that of neighbouring properties external to the site, being submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Vincent.

Planning Control Area

21. No development shall be carried out within the identified Planning Control Area as shown on the approved plans, without obtaining prior approval from the Western Australian Planning Commission.

Advice Notes

(a) This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license/permit requirements that may relate to the development. Contact the City of Vincent for further advice on building, health, engineering and road reserve requirements.

(b) With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.

(c) With regard to Conditions 2 and 3, a copy of the final working drawings prepared for the submission of an application for a building permit and all associated reports and information that address the conditions of approval are to be submitted to and cleared by the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.

Following satisfactory assessment of the plans and documents, the WAPC will provide a clearance letter and copies of the document to the local government to assist with building permit assessment. Where works and/or building permit are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval.

The final plans and documents submitted to the WAPC to satisfy the conditions of this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local or State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the WAPC, via an Amendment Application process (Form 11B-2).

(d) All works, indicated on the approved plans, including footings, must be wholly located within the cadastral boundaries of the development site, to the satisfaction of the Western Australian Planning Commission.

(e) With regard to Condition 4, final specifications and/or samples should be provided for all external elevations, demonstrating that high quality, durable and low reflective materials have been maintained (or enhanced) from development application stage through to working drawings and construction.

(f) With regard to Condition 7, the Construction Traffic Management Plan should include a Traffic Guidance Scheme and full details of any proposed bus route or bus stop disruption and any associated proposed mitigation measures. The applicant is advised to communicate directly with the Public Transport Authority (PTA) and Transperth regarding any potential for construction work to impact bus operations or bus stops on Charles Street. The PTA and Transperth require a minimum notice period of 10 business days prior to any proposed road or lane closure that may affect bus stops or bus services. Notification can be provided via email to: transperth.servicedisruptions@pta.wa.gov.au.

(g) With regard to Condition 16, the final landscaping plans, specifications and accompanying report should include but not be limited to details and/or confirmation of the following:

i. species, size and types of plantings to all landscaped areas;
ii. an updated species list that removes Eucalyptus torquata and replaces it with Triadica sebifera, or a similar other plant species;
iii. reticulation to plantings including any rain/grey water capture and re-use;
iv. paving, kerbs and other hardscape surface treatments, having regard to durability, safety, occupant comfort levels for various travel modes, and tendency to attract heat, as relevant to their location within or surrounding the development;
v. seating, lighting, shade structures and other hard infrastructure;
vi. details of ongoing management and maintenance; and
vii. demonstrate that outside lighting is to be provided in accordance with the Australian Standards AS4282-1997 for the control of obstructive effects of outdoor lighting and must not spill into any residential premises.

(h) With regard to Condition 17, the Australian Standards specify the following measures are required to protect trees:

i. A minimum 2.0 metre radius tree protection zone (TPZ) shall be provided through 1.8 metre high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.

ii. The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.

iii. All activities and works related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ unless prior approval is sought.
(iv) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.

(i) Any proposed landscape works outside the development lot boundaries will require consent from the City of Vincent prior to the commencement of any works.

(j) Main Roads advise that the upgrading/widening of Charles Street is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice.

(k) If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.

The motion was put and carried

PART B - AMENDING MOTION

Members moved a motion to modify condition 18(a) to have the timing of the submission of public art moved to prior to occupation rather than prior to building approval.

Moved by Member Harman
Seconded by Commissioner Adair

18.
(a) Prior to occupation of the development, a public art concept for the development to the value of 1.0% of the Total Project Cost, in accordance with the City of Vincent Local Planning Policy - Percent for Art Policy is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Vincent.

The motion was put and carried

PART B - SUBSTANTIVE RESOLUTION

PART B

That the Statutory Planning Committee resolves:

A. to note this application is not capable of being determined under the applicable planning instrument, being the City of Vincent Local Planning Scheme No. 2, and is seeking discretion under s.171R(1)(b) of the Planning and Development Act 2005 and it has been considered and determined accordingly; and

B. under s.171P(1) of the Planning and Development Act 2005, to approve development application reference SD-049-25 and accompanying plans (date-stamped 13 May 2026) for Proposed Residential Apartments at Lots 888 and 33 (Nos. 407 & 409) Charles Street, North Perth, subject to the following:

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 13 May 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent.*

3. *A copy of the final working drawings (prepared for submission of relevant building permit applications) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission.*

Materials and Finishes

4. *The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans, including elevations and perspectives (other than as amended by conditions of approval), to the satisfaction of the Western Australian Planning Commission.*

5. *Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), to the satisfaction of the Western Australian Planning Commission.*

Construction

6.

(a) *Prior to submission of the relevant building permit application, a Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Vincent. The Plan is to address the following, but not limited to:*

i. *hours of construction;*
ii. *temporary fencing, hoardings, gantries, and signage;*
iii. *site access and egress;*
iv. *construction traffic management;*
v. *pedestrian and cyclist management and any footpath obstructions;*
vi. *parking arrangements for staff and contractors;*
vii. *deliveries and storage of construction materials and machinery;*
viii. *management of vibration, dust, and erosion;*
ix. *management of any site dewatering or stormwater discharge;*
x. *management of construction noise and other site generated noise;*
xi. *demolition and construction waste management, recycling, and removal;*
xii. *protection of street trees and public realm infrastructure; and*
xiii. *public communication and complaint handling procedures.*

(b) *The approved Construction Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*

Transport, Access and Parking

7.

(a) *Prior to submission of the relevant building permit application, a Construction Traffic Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on*

advice from Main Roads WA, the Public Transport Authority and the City of Vincent.

(b) The approved Construction Traffic Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

8.

(a) Prior to occupation of the development, certification is to be provided by a suitably qualified professional confirming that all points of ingress and egress, vehicle accessways, loading bays, car parking spaces, universal access, and bicycle parking are consistent with the approved plans and have been constructed, drained, sealed and marked in accordance with the relevant Australian Standard, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent.

(b) All parking bays, driveways and access points shall be maintained by the owners and/or managers of the development to the satisfaction of the Western Australian Planning Commission.

(c) Prior to occupation of the development, the visitor car parking spaces are to be marked and clearly signposted as dedicated for visitor use only, to the satisfaction of the Western Australian Planning Commission.

9.

(a) Prior to occupation of the development, a Parking Management Plan shall be submitted to, and approved by, the Western Australian Planning Commission on advice from the City of Vincent. The Parking Management Plan is to include detailed management measures for the operation of the visitor car parking, a vehicular entry gate, which is a minimum 50% visually permeable and ensure parking areas remain unobstructed.

(b) The approved Parking Management Plan is to be implemented by the owners/occupiers/strata managers of the development to the satisfaction of the western Australian Planning Commission.

Water Management

10.

(a) Prior to submission of the relevant building permit application, an updated Water Management Plan is to be submitted to and approved by the Western Australia Planning Commission, on advice from the Water Corporation, Main Roads Western

Australia and the City of Vincent, demonstrating the adequate on-site retention and disposal of all storm water.

(b) The approved Water Management Plan is to be implemented to the satisfaction of the Western Australian Planning Commission.

Waste Management and Servicing

11.

(a) Prior to submission of the relevant building permit application, the Waste Management Plan (date-stamped 9 March 2026) is to be updated to reflect the detailed design and be submitted to and approved by the Western Australian Planning Commission, on advice from Main Roads Western Australia and the City of Vincent.

(b) The approved Waste Management Plan is to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Noise Management

12.

(a) Prior to submission of the relevant building permit application, the Acoustic Report (date-stamped 27 November 2025) is to be modified to reflect the approved development plans and be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Vincent.

(b) Prior to submission of the relevant building permit application, details are to be provided confirming the recommendations of the approved Acoustic Report have been included in the development plans, to the satisfaction of the Western Australian Planning Commission.

(c) Prior to occupation of the development, certification is to be provided from a qualified acoustic consultant confirming the recommendations of the approved Acoustic Report have been implemented in the completed development, to the satisfaction of the Western Australian Planning Commission.

Amalgamation, Notifications and Easements

13. Prior to occupation of the development, suitable arrangements are to be made for Lots 888 and 33, as shown on the development plans, to be legally amalgamated into a single freehold lot on one

Certificate of Title, at the landowner's expense, to the satisfaction of the Western Australian Planning Commission.

14. *Prior to occupation of the development, the landowner is to register on the certificate/s of title a notification, pursuant to section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

    "The lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected, by transport noise. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction."

15.
    (a) *Prior to submission of the relevant building permit application, 20% of proposed dwellings are to be capable of adaption in accordance with the Livable Housing silver design standards and the Residential Design Codes, with final details submitted to and approved by the Western Australian Planning Commission.*

    (b) *Prior to occupation of the development, the landowner/applicant is to demonstrate the minimum number of adaptable dwellings have been provided in accordance with the approved developments plans.*

Landscaping

16.
    (a) *Prior to the submission of the relevant building permit application, updated detailed landscaping plans and specifications are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Vincent.*

    (b) *The approved landscape plan/s is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*

    (c) *No verge trees shall be removed without the prior written approval of the City of Vincent. Verge trees shall be retained and protected from damage including unauthorised pruning to the satisfaction of the City. Prior to any pruning of verge trees, an arborist report shall be prepared and submitted to the City.*

(d) Prior to occupation of the development, certification that the landscape areas and reticulation has been completed in accordance with the approved Landscaping Plan and specifications is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent.

17. Prior to submission of the relevant building permit application, a Tree Protection Plan, including tree protection zones, prepared in accordance with AS4970:2009, is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent, detailing protection and care of street trees during construction.

Public Art

18.

(a) Prior to occupation of the development, a public art concept for the development to the value of 1.0% of the Total Project Cost, in accordance with the City of Vincent Local Planning Policy - Percent for Art Policy is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Vincent.

(b) Prior to the occupation of the development, the approved public art is to be installed by the developer and maintained thereafter by the landowners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Vincent.

Sustainability

19.

(a) Prior to submission of the relevant building permit application, the Sustainability Strategy date-stamped 19 January 2026 (Revision 003) is to be updated to detail the sustainability initiative(s) to be implemented within the development, demonstrating that the development achieves a minimum 8.4 star NatHERS rating, is to be submitted to and approved by the Western Australian Planning Commission. The initiatives are to be incorporated in the final drawings and documents.

(b) Prior to occupation of the development, documentation from a suitably qualified professional is to be provided certifying that the sustainability measure(s) identified within the approved Sustainability Strategy have been implemented to the satisfaction of the Western Australian Planning Commission.

(c) *The accepted sustainability initiatives shall be incorporated into the development and thereafter maintained by the landowner and/or managers of the development to the satisfaction of the Western Australian Planning Commission.*

Utilities and Facilities

20. *Prior to submission of the relevant building permit application, details of any proposed air-conditioning condensers, external building plant, piping, ducting, or transformers being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on the residential dwellings and that of neighbouring properties external to the site, being submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Vincent.*

Planning Control Area

21. *No development shall be carried out within the identified Planning Control Area as shown on the approved plans, without obtaining prior approval from the Western Australian Planning Commission.*

Advice Notes

(a) *This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license/permit requirements that may relate to the development. Contact the City of Vincent for further advice on building, health, engineering and road reserve requirements.*

(b) *With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*

(c) *With regard to Conditions 2 and 3, a copy of the final working drawings prepared for the submission of an application for a building permit and all associated reports and information that address the conditions of approval are to be submitted to and cleared by the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.*

Following satisfactory assessment of the plans and documents, the WAPC will provide a clearance letter and copies of the document to the local government to assist with building permit assessment. Where works and/or building permit are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval.

The final plans and documents submitted to the WAPC to satisfy the conditions of this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local or State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the WAPC, via an Amendment Application process (Form 11B-2).

(d) All works, indicated on the approved plans, including footings, must be wholly located within the cadastral boundaries of the development site, to the satisfaction of the Western Australian Planning Commission.

(e) With regard to Condition 4, final specifications and/or samples should be provided for all external elevations, demonstrating that high quality, durable and low reflective materials have been maintained (or enhanced) from development application stage through to working drawings and construction.

(f) With regard to Condition 7, the Construction Traffic Management Plan should include a Traffic Guidance Scheme and full details of any proposed bus route or bus stop disruption and any associated proposed mitigation measures. The applicant is advised to communicate directly with the Public Transport Authority (PTA) and Transperth regarding any potential for construction work to impact bus operations or bus stops on Charles Street. The PTA and Transperth require a minimum notice period of 10 business days prior to any proposed road or lane closure that may affect bus stops or bus services. Notification can be provided via email to: transperth.servicedisruptions@pta.wa.gov.au.

(g) With regard to Condition 16, the final landscaping plans, specifications and accompanying report should include but not be limited to details and/or confirmation of the following:

i. species, size and types of plantings to all landscaped areas;
ii. an updated species list that removes Eucalyptus torquata and replaces it with Triadica sebifera, or a similar other plant species;
iii. reticulation to plantings including any rain/grey water capture and re-use;

iv. paving, kerbs and other hardscape surface treatments, having regard to durability, safety, occupant comfort levels for various travel modes, and tendency to attract heat, as relevant to their location within or surrounding the development;
v. seating, lighting, shade structures and other hard infrastructure;
vi. details of ongoing management and maintenance; and
vii. demonstrate that outside lighting is to be provided in accordance with the Australian Standards AS4282-1997 for the control of obstructive effects of outdoor lighting and must not spill into any residential premises.

(h) With regard to Condition 17, the Australian Standards specify the following measures are required to protect trees:

i. A minimum 2.0 metre radius tree protection zone (TPZ) shall be provided through 1.8 metre high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.

ii. The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.

iii. All activities and works related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ unless prior approval is sought.
(iv) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.

(i) Any proposed landscape works outside the development lot boundaries will require consent from the City of Vincent prior to the commencement of any works.

(j) Main Roads advise that the upgrading/widening of Charles Street is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice.

(k) If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.

3.5 Part 11B Development Application – Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes - Determination (SD-048-25)

Commissioner Adair declared an Actual Impartiality Interest on Item 3.5 and left the meeting at 1:02pm.

REASONS FOR DECISION

Members discussed their reasons for supporting the proposal and outlined the following:

- The access, not the uses, require discretion against the local structure plan.
- That several options may have potential to facilitate access to the subject and adjacent lots without reducing yield.
- Inclusion of an additional condition regarding access arrangements being agreed between the affected landowners is broad enough to facilitate an outcome without being prescriptive on the design resolution.

Members agreed to endorse the recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the Department's report.

REPORT RECOMMENDATION

Moved by Member Harman
Seconded by Commissioner Brookes

That the Statutory Planning Committee resolves:

A. to note this application is capable of being determined under the applicable planning instrument, being the City of Armadale Town Planning Scheme No. 4, and it has been considered and determined accordingly; and

B. under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-048-25 and accompanying plans (date-stamped 18 May 2026) for a Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes, subject to the following:

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 18 May 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (conditions clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.*

3. *A copy of the final working drawings (prepared for submission of relevant building permit application(s)) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.*

4. *Prior to submission of the relevant building permit application, revised plans are to be submitted to the satisfaction of the Western Australian Planning Commission, which includes the following modifications:*

    i. *Specifications of fencing to be constructed along the open space reserve integrated with the Wungong Regional Park at the north-western boundary of the development, ensuing fencing is visually permeable.*

5. *The proposed dwellings are to maintain a minimum finished floor level of 23.4 metres AHD.*

Land Use

6. *The dwellings shall be limited in occupancy to an "aged person" and their spouse, or the surviving spouse of such a person, as defined under the Residential Design Codes, to the satisfaction of the Western Australian Planning Commission.*

7. *Prior to submission of the relevant building permit application, the applicant is to demonstrate that 'Type G' dwelling typologies as depicted on the approved development plans, satisfy the Livable Housing Design Standard, with final details submitted to, and approved by, the Western Australian Planning Commission.*

Certificate of Title

8. *Prior to occupation of the development, the landowner is to register on the certificate(s) of title a notification, pursuant to section 70A of the Transfer of Land Act 1893 advising the owners and prospective purchasers of the land of the restriction relating to the occupation of the dwelling. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner's expense, to the satisfaction of the Western Australian Planning Commission.*

9. *Prior to occupation of the development, the landowner is to register on the certificate(s) of title a notification, pursuant to section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

   "This land is within a bushfire prone area and is subject to a Bushfire Management Plan. The management measures contained with the Bushfire Management Plan must be implemented at all times."

10. *Prior to occupation of the development, the landowner is to register on the certificate(s) of title a right of carriageway easement, pursuant to the Land Administration Act 1997. The right of carriageway easement is to be to the benefit of the City of Armadale for waste vehicle access and is to include management arrangement, and registered at the landowner's expense, to the satisfaction of the Western Australian Planning Commission, on advice of the City of Armadale.*

Materials and Finishes

11. *The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans, including elevations and perspectives (other than as amended by conditions of approval), to the satisfaction of the Western Australian Planning Commission.*

12. *Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and*

finishes of the exterior of the building(s), to the satisfaction of the Western Australian Planning Commission.

Construction

13.

(a) Prior to submission of the relevant building permit application(s), a Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Biodiversity, Conservation and Attractions and the City of Armadale. The Plan is to address the following, but not limited to:

i. hours of construction;
ii. temporary fencing, hoardings, gantries, and signage;
iii. site access and egress;
iv. construction traffic management;
v. pedestrian and cyclist management and any footpath obstructions;
vi. parking arrangements for staff and contractors;
vii. deliveries and storage of construction materials and machinery;
viii. management of machinery, including refuelling;
ix. management of vibration, dust, stormwater, sediment and erosion;
x. management of any site dewatering and discharge;
xi. management of construction noise and other site generated noise;
xii. supply of uncontaminated fill, free from rubble, weeds and disease;
xiii. demolition and construction waste management, recycling, and removal;
xiv. protection of street trees and public realm infrastructure; and
xv. public communication and complaint handling procedures.

(b) The approved Construction Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

14.

(a) Prior to submission of the relevant building permit application, the applicant is to submit a geotechnical engineering report certifying that the land is physically capable of accommodating the development.

(b) In the event that remediation works are required, a post-works geotechnical report certifying that all works have been carried out in accordance with the pre-works geotechnical report is to be

submitted, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.

Bushfire Management

15.

(a) Prior to submission of the relevant building permit application(s), the Bushfire Management Plan date-stamped 18 May 2026 is to be updated to detail suitable arrangements and timing of implementation measures to secure the ongoing management of vegetation, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services and the City of Armadale.

(b) Prior to occupation of the development, certification by a Bushfire Consultant is to be provided to demonstrate that the measures included in the Bushfire Management Plan (updated in accordance with part (a) of this condition) have been implemented to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.

(c) The approved development is to be operated and all relevant landscaping and vegetation is to be thereafter managed in accordance with the Bushfire Management Plan (updated in accordance with part (a) of this condition), to the satisfaction of the Western Australian Planning Commission, except where otherwise approved in writing by the Western Australian Planning Commission, on advice from the City of Armadale.

Transport, Access and Parking

16.

(a) Prior to occupation of the development, certification is to be provided by a suitably qualified professional confirming that all points of ingress and egress, vehicle accessways, loading bays, car parking spaces, universal access, and bicycle parking are consistent with the approved plans and have been constructed, drained, sealed and marked in accordance with the Australian Standard, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.

(b) All parking bays, driveways and access points shall be maintained by the owners and/or managers of the development to the satisfaction of the Western Australian Planning Commission.

(c) Prior to occupation of the development, the visitor car parking spaces are to be marked and clearly signposted as dedicated for

visitor use only to the satisfaction of the Western Australian Planning Commission.

Water Management Plan

17.

(a) Prior to submission of the relevant building permit application(s), an updated Water Management Report is to be submitted to and approved by the Western Australia Planning Commission, on advice from the Department of Biodiversity, Conservation and Attractions and the City of Armadale, demonstrating the adequate on-site retention and disposal of all storm water.

(b) The approved Water Management Report is to be implemented to the satisfaction of the Western Australian Planning Commission.

Landscaping

18.

(a) Prior to the submission of the relevant building permit application, updated detailed landscaping plans and specifications are to be submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Biodiversity, Conservation and Attractions and the City of Armadale.

(b) Prior to occupation of the development, certification that the landscape areas and reticulation has been completed in accordance with the final approved Landscape Plan is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.

(c) The approved Landscape Plan/s is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

Environmental and Servicing

19.

(a) Prior to submission of the relevant building permit application(s), the Waste Management Plan (date-stamped 23 July 2025) is to be updated to reflect the detailed design and be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Armadale.

(b) The approved Waste Management Plan is to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

20.

(a) Prior to occupation of the development, a Mosquito Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Armadale.

(b) The approved Mosquito Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

21. Prior to submission of the relevant building permit application, details of any proposed air-conditioning condensers, external building plant, piping, ducting, or transformers being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on the nearby residents and the public realm, being submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Armadale.

22.

(a) Prior to submission of the relevant building permit application, a Lighting Strategy detailing external illumination of the development in accordance with AS4282, AS1158.3.1 is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Armadale.

(b) Prior to occupation of the relevant stage of development, the applicant is to provide certification from a suitably qualified person demonstrating the lighting has been installed in accordance with the approved strategy, to the satisfaction of the Western Australian Planning Commission.

<u>Public Art</u>

23. Prior to the occupation of the development, the landowner must contribute a sum of 1% of the total development construction value toward Public Art in accordance with the City of Armadale Local Planning Policy Precent for Public Art (LPP3.12), by either:

(a) Payment of a cash-in-lieu amount equal to the sum of the 1% contribution of the estimated total development cost but no more than $500,000 to the satisfaction of the Western Australian Planning Commission on advice from the City of Armadale; OR

(b)

i. The provision of Public Art on site, with a public art concept for the subject development to the value of 1.0% of the estimated total development cost but no more than $500,000 must be submitted to, and approved by, the Western Australian

Planning Commission on advice from the City of Armadale; and

ii. *the approved public art is to be installed by the developer and maintained thereafter by the landowner and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Advice Notes

(a) *This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license/permit requirements that may relate to the development. Contact the City of Armadale for further advice on building, health, engineering and road reserve requirements.*

(b) *With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*

(c) *With regard to Condition 3, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission (WAPC), and any variations from the approved plans are required to be clearly identified. Once the WAPC is satisfied that the working drawings are consistent with the approved development plans and any reports and information submitted have adequately addressed the conditions of approval, the WAPC will provide a clearance letter and copies of the working drawings to the applicant to assist with the issuing of a building permit.*

Where works and/or building permits are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval. In such cases a Conditions Staging Matrix will need to be completed and submitted for the WAPC approval. Interim documentation may be acceptable for the clearance of some conditions for the initial stages of the development, in accordance with an approved Conditions Staging Matrix. In an instance where interim documents or plans are accepted by the WAPC, the documentation is required to identify the time or stage for the delivery of the final documents and/or plans.

The final plans and documents submitted to the Western Australian Planning Commission to satisfy the conditions of this approval will be verified by the Department of Planning, Lands and Heritage officers

and any other local of State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the Commission, via an Amendment Application process (Form 11B-2).

(d) With regard to Condition 18, the City of Armadale advises this development approval does not authorise the removal of vegetation other than any marked for removal on the approved plan(s). The vegetation identified on the plans for retention must be protected in accordance with AS 4970-2009 prior to works commencing on site and maintained to the satisfaction of the City of Armadale for the duration of works.

(e) With regard to Condition 14, sediment and erosion management details should describe how site works and construction will be implemented and managed to minimise the risk of drainage, erosion and sedimentation on nearby water bodies and/or reserves and should include control measures such as:

i. Daily recovery of sediment (including imported building sand) from outside the works area (e.g. end-of-day sweeping).

ii. Perimeter controls, such as:

- *Sediment control fences.*
- *Sediment traps at stormwater drain inlets.*
- *Vehicle washdown, vibration grids or rock pads at entry/exits.*
- *Containment of stockpiles.*

iii. For further guidance on best management practices for sediment and erosion control, refer to the Erosion and Sediment Control Information sheets found at: https://www.sercul.org.au/sediment-resources/.

(f) With regard to Condition 17, crossover(s) are to be designed and constructed to the specification and satisfaction of the City of Armadale.

(g) With regard to Condition 18, the following elements should be considered for inclusion in the Water Management Plan:

i. A detailed description of the size, location and design of drainage basins, as well as commit to the implementation of any management or infiltration measures for stormwater within individual lots and within the road reserves. This will reduce the size of the drainage basins required in the proposed Communal Open Space.

ii. Pre-development and post-development flow rates to and from the site, to inform the required size and location of drainage infrastructure.

iii. Details of proposed vegetation and soil types in basin areas should be provided. Soils should have adequate phosphorus retention capabilities and contain appropriate native species capable of nutrient uptake.

iv. Consider the existing development on Lots 4, 5 and 6 Bay Court, and if there is an opportunity to incorporate the current proposal into the existing drainage infrastructure, to minimise the cumulative size of drainage infrastructure in the proposed Communal Open Space.

(h) With regard to Condition 19, the following elements should be considered for inclusion in the Landscape Plans:

i. Details on the interface between the development and the public open space, including the height, style, colours and materials of structures/fencing visible from the reserve which complement the riverine environment.

ii. Details of any pedestrian access directly to the foreshore area from the development.

iii. All landscaping to include locally native plant species only, suited to the soil type of the area, to sustain local biodiversity and reduce fertiliser requirements.

(i) This development approval does not authorise the removal of vegetation other than any marked for removal on the approved plan(s). The vegetation identified on the plans for retention must be protected in accordance with AS 4970-2009 prior to works commencing on site and maintained to the satisfaction of the City of Armadale for the duration of works.

(j) Any proposed landscape works outside the development lot boundaries will require consent from the City of Armadale prior to the commencement of any works.

(k) With regard to Condition 21, the following elements should be considered for inclusion in the Mosquito Management Plan:

i. Identification of major sources (breeding sites) of mosquitoes in the vicinity of the development.

ii. Methods and feasibility of control (chemical, physical, biological and/or cultural) of larval and adult mosquitoes in man-made and natural breeding sites in proximity to residences.

iii. Monitoring of larval and adult mosquitoes in and around the proposed development to inform the location and timing of control measures.

iv. Environmental impacts and acceptability of proposed control options, ensuring mosquito management strategies comply with all Federal and State legislative requirements.

v. Identification of ongoing resource requirements of and responsibility for the implementation of mosquito management programs relevant to the proposed development.

vi. Appropriate location, design and maintenance of project infrastructure to prevent mosquito breeding (e.g. wastewater, stormwater infrastructure).

(l) The Department of Water and Environmental Regulation advises that clearing of native vegetation is prohibited, unless authorised by a clearing permit, or is clearing that is exempt in accordance with Schedule 6 of the Environmental Protection Act 1986 or the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

(m) Access to buildings are to be provided for people with disabilities in accordance with the National Construction Code Building Code of Australia, AS1428.1 and Disability (Access to Premises – Buildings) Standards 2010.

(n) If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.

The motion was put and carried

AMENDING MOTION

Members moved a motion to add a new condition 24 to the recommendation of the Department to ensure suitable arrangements are made with the adjacent landowner to the south prior to commencement of the development regarding the facilitation of alternative access to the approved subdivision on Lot 9000.

Moved by Member Harman
Seconded by Commissioner Brookes

Dissent: Member Franklin

Other

24. *Prior to commencement of development, suitable arrangements being made in relation to facilitating alternative access to the approved subdivision on Lot 9000 to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale*

The motion was put and carried

SUBSTANTIVE RESOLUTION

That the Statutory Planning Committee resolves:

A. *to note this application is capable of being determined under the applicable planning instrument, being the City of Armadale Town Planning Scheme No. 4, and it has been considered and determined accordingly; and*

B. *under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-048-25 and accompanying plans (date-stamped 18 May 2026) for a Residential Development at 424 and 436 Lake Road and 15 and 27 Bay Court, Champion Lakes, subject to the following:*

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 18 May 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (conditions clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.*

3. *A copy of the final working drawings (prepared for submission of relevant building permit application(s)) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.*

4. *Prior to submission of the relevant building permit application, revised plans are to be submitted to the satisfaction of the Western Australian Planning Commission, which includes the following modifications:*

    i. *Specifications of fencing to be constructed along the open space reserve integrated with the Wungong Regional Park at the north-western boundary of the development, ensuing fencing is visually permeable.*

5. *The proposed dwellings are to maintain a minimum finished floor level of 23.4 metres AHD.*

Land Use

6. *The dwellings shall be limited in occupancy to an "aged person" and their spouse, or the surviving spouse of such a person, as defined under the Residential Design Codes, to the satisfaction of the Western Australian Planning Commission.*

7. *Prior to submission of the relevant building permit application, the applicant is to demonstrate that 'Type G' dwelling typologies as depicted on the approved development plans, satisfy the Livable Housing Design Standard, with final details submitted to, and approved by, the Western Australian Planning Commission.*

Certificate of Title

8. *Prior to occupation of the development, the landowner is to register on the certificate(s) of title a notification, pursuant to section 70A of the Transfer of Land Act 1893 advising the owners and prospective purchasers of the land of the restriction relating to the occupation of the dwelling. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner's expense, to the satisfaction of the Western Australian Planning Commission.*

9. *Prior to occupation of the development, the landowner is to register on the certificate(s) of title a notification, pursuant to section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

   "This land is within a bushfire prone area and is subject to a Bushfire Management Plan. The management measures contained with the Bushfire Management Plan must be implemented at all times."

10. *Prior to occupation of the development, the landowner is to register on the certificate(s) of title a right of carriageway easement, pursuant to the Land Administration Act 1997. The right of carriageway easement is to be to the benefit of the City of Armadale for waste vehicle access and is to include management arrangement, and registered at the landowner's expense, to the satisfaction of the Western Australian Planning Commission, on advice of the City of Armadale.*

Materials and Finishes

11. *The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans, including elevations and perspectives (other than as amended by conditions of approval), to the satisfaction of the Western Australian Planning Commission.*

12. *Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), to the satisfaction of the Western Australian Planning Commission.*

Construction

13.

   (a) *Prior to submission of the relevant building permit application(s), a Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Biodiversity, Conservation and Attractions and the City of Armadale. The Plan is to address the following, but not limited to:*

      i. *hours of construction;*
      ii. *temporary fencing, hoardings, gantries, and signage;*
      iii. *site access and egress;*
      iv. *construction traffic management;*

v. *pedestrian and cyclist management and any footpath obstructions;*
vi. *parking arrangements for staff and contractors;*
vii. *deliveries and storage of construction materials and machinery;*
viii. *management of machinery, including refuelling;*
ix. *management of vibration, dust, stormwater, sediment and erosion;*
x. *management of any site dewatering and discharge;*
xi. *management of construction noise and other site generated noise;*
xii. *supply of uncontaminated fill, free from rubble, weeds and disease;*
xiii. *demolition and construction waste management, recycling, and removal;*
xiv. *protection of street trees and public realm infrastructure; and*
xv. *public communication and complaint handling procedures.*

(b) The approved Construction Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

14.

(a) Prior to submission of the relevant building permit application, the applicant is to submit a geotechnical engineering report certifying that the land is physically capable of accommodating the development.

(b) In the event that remediation works are required, a post-works geotechnical report certifying that all works have been carried out in accordance with the pre-works geotechnical report is to be submitted, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.

<u>Bushfire Management</u>

15.

(a) Prior to submission of the relevant building permit application(s), the Bushfire Management Plan date-stamped 18 May 2026 is to be updated to detail suitable arrangements and timing of implementation measures to secure the ongoing management of vegetation, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services and the City of Armadale.

(b) Prior to occupation of the development, certification by a Bushfire Consultant is to be provided to demonstrate that the measures included in the Bushfire Management Plan (updated in

accordance with part (a) of this condition) have been implemented to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.

(c) The approved development is to be operated and all relevant landscaping and vegetation is to be thereafter managed in accordance with the Bushfire Management Plan (updated in accordance with part (a) of this condition), to the satisfaction of the Western Australian Planning Commission, except where otherwise approved in writing by the Western Australian Planning Commission, on advice from the City of Armadale.

Transport, Access and Parking

16.

(a) Prior to occupation of the development, certification is to be provided by a suitably qualified professional confirming that all points of ingress and egress, vehicle accessways, loading bays, car parking spaces, universal access, and bicycle parking are consistent with the approved plans and have been constructed, drained, sealed and marked in accordance with the Australian Standard, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.

(b) All parking bays, driveways and access points shall be maintained by the owners and/or managers of the development to the satisfaction of the Western Australian Planning Commission.

(c) Prior to occupation of the development, the visitor car parking spaces are to be marked and clearly signposted as dedicated for visitor use only to the satisfaction of the Western Australian Planning Commission.

Water Management Plan

17.

(a) Prior to submission of the relevant building permit application(s), an updated Water Management Report is to be submitted to and approved by the Western Australia Planning Commission, on advice from the Department of Biodiversity, Conservation and Attractions and the City of Armadale, demonstrating the adequate on-site retention and disposal of all storm water.

(b) The approved Water Management Report is to be implemented to the satisfaction of the Western Australian Planning Commission.

Landscaping

18.

(a) Prior to the submission of the relevant building permit application, updated detailed landscaping plans and specifications are to be submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Biodiversity, Conservation and Attractions and the City of Armadale.

(b) Prior to occupation of the development, certification that the landscape areas and reticulation has been completed in accordance with the final approved Landscape Plan is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale.

(c) The approved Landscape Plan/s is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

Environmental and Servicing

19.

(a) Prior to submission of the relevant building permit application(s), the Waste Management Plan (date-stamped 23 July 2025) is to be updated to reflect the detailed design and be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Armadale.

(b) The approved Waste Management Plan is to be implemented and adhered to by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

20.

(a) Prior to occupation of the development, a Mosquito Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Armadale.

(b) The approved Mosquito Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.

21. Prior to submission of the relevant building permit application, details of any proposed air-conditioning condensers, external building plant, piping, ducting, or transformers being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on the nearby residents and the public realm, being submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Armadale.

22.

(a) Prior to submission of the relevant building permit application, a Lighting Strategy detailing external illumination of the development in accordance with AS4282, AS1158.3.1 is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Armadale.

(b) Prior to occupation of the relevant stage of development, the applicant is to provide certification from a suitably qualified person demonstrating the lighting has been installed in accordance with the approved strategy, to the satisfaction of the Western Australian Planning Commission.

<u>Public Art</u>

23. Prior to the occupation of the development, the landowner must contribute a sum of 1% of the total development construction value toward Public Art in accordance with the City of Armadale Local Planning Policy Precent for Public Art (LPP3.12), by either:

(a) Payment of a cash-in-lieu amount equal to the sum of the 1% contribution of the estimated total development cost but no more than $500,000 to the satisfaction of the Western Australian Planning Commission on advice from the City of Armadale; OR

(b)

i. The provision of Public Art on site, with a public art concept for the subject development to the value of 1.0% of the estimated total development cost but no more than $500,000 must be submitted to, and approved by, the Western Australian Planning Commission on advice from the City of Armadale; and

ii. the approved public art is to be installed by the developer and maintained thereafter by the landowner and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

<u>Other</u>

24. Prior to commencement of development, suitable arrangements being made in relation to facilitating alternative access to the approved subdivision on Lot 9000 to the satisfaction of the Western Australian Planning Commission, on advice from the City of Armadale

Advice Notes

(a) This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license/permit requirements that may relate to the development. Contact the City of Armadale for further advice on building, health, engineering and road reserve requirements.

(b) With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.

(c) With regard to Condition 3, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission (WAPC), and any variations from the approved plans are required to be clearly identified. Once the WAPC is satisfied that the working drawings are consistent with the approved development plans and any reports and information submitted have adequately addressed the conditions of approval, the WAPC will provide a clearance letter and copies of the working drawings to the applicant to assist with the issuing of a building permit.

Where works and/or building permits are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval. In such cases a Conditions Staging Matrix will need to be completed and submitted for the WAPC approval. Interim documentation may be acceptable for the clearance of some conditions for the initial stages of the development, in accordance with an approved Conditions Staging Matrix. In an instance where interim documents or plans are accepted by the WAPC, the documentation is required to identify the time or stage for the delivery of the final documents and/or plans.

The final plans and documents submitted to the Western Australian Planning Commission to satisfy the conditions of this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local of State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the Commission, via an Amendment Application process (Form 11B-2).

(d) With regard to Condition 18, the City of Armadale advises this development approval does not authorise the removal of vegetation other than any marked for removal on the approved plan(s). The vegetation identified on the plans for retention must be protected in accordance with AS 4970-2009 prior to works commencing on site

and maintained to the satisfaction of the City of Armadale for the duration of works.

(e) With regard to Condition 14, sediment and erosion management details should describe how site works and construction will be implemented and managed to minimise the risk of drainage, erosion and sedimentation on nearby water bodies and/or reserves and should include control measures such as:

i. Daily recovery of sediment (including imported building sand) from outside the works area (e.g. end-of-day sweeping).

ii. Perimeter controls, such as:

- *Sediment control fences.*
- *Sediment traps at stormwater drain inlets.*
- *Vehicle washdown, vibration grids or rock pads at entry/exits.*
- *Containment of stockpiles.*

iii. For further guidance on best management practices for sediment and erosion control, refer to the Erosion and Sediment Control Information sheets found at: https://www.sercul.org.au/sediment-resources/.

(f) With regard to Condition 17, crossover(s) are to be designed and constructed to the specification and satisfaction of the City of Armadale.

(g) With regard to Condition 18, the following elements should be considered for inclusion in the Water Management Plan:

i. A detailed description of the size, location and design of drainage basins, as well as commit to the implementation of any management or infiltration measures for stormwater within individual lots and within the road reserves. This will reduce the size of the drainage basins required in the proposed Communal Open Space.

ii. Pre-development and post-development flow rates to and from the site, to inform the required size and location of drainage infrastructure.

iii. Details of proposed vegetation and soil types in basin areas should be provided. Soils should have adequate phosphorus retention capabilities and contain appropriate native species capable of nutrient uptake.

iv. Consider the existing development on Lots 4, 5 and 6 Bay Court, and if there is an opportunity to incorporate the current proposal into the existing drainage infrastructure, to minimise the cumulative size of drainage infrastructure in the proposed Communal Open Space.

(h) With regard to Condition 19, the following elements should be considered for inclusion in the Landscape Plans:

i. Details on the interface between the development and the public open space, including the height, style, colours and materials of structures/fencing visible from the reserve which complement the riverine environment.

ii. Details of any pedestrian access directly to the foreshore area from the development.

iii. All landscaping to include locally native plant species only, suited to the soil type of the area, to sustain local biodiversity and reduce fertiliser requirements.

(i) This development approval does not authorise the removal of vegetation other than any marked for removal on the approved plan(s). The vegetation identified on the plans for retention must be protected in accordance with AS 4970-2009 prior to works commencing on site and maintained to the satisfaction of the City of Armadale for the duration of works.

(j) Any proposed landscape works outside the development lot boundaries will require consent from the City of Armadale prior to the commencement of any works.

(k) With regard to Condition 21, the following elements should be considered for inclusion in the Mosquito Management Plan:

i. Identification of major sources (breeding sites) of mosquitoes in the vicinity of the development.

ii. Methods and feasibility of control (chemical, physical, biological and/or cultural) of larval and adult mosquitoes in man-made and natural breeding sites in proximity to residences.

iii. Monitoring of larval and adult mosquitoes in and around the proposed development to inform the location and timing of control measures.

iv. Environmental impacts and acceptability of proposed control options, ensuring mosquito management strategies comply with all Federal and State legislative requirements.

v. Identification of ongoing resource requirements of and responsibility for the implementation of mosquito management programs relevant to the proposed development.

vi. Appropriate location, design and maintenance of project infrastructure to prevent mosquito breeding (e.g. wastewater, stormwater infrastructure).

(l) The Department of Water and Environmental Regulation advises that clearing of native vegetation is prohibited, unless authorised by a clearing permit, or is clearing that is exempt in accordance with Schedule 6 of the Environmental Protection Act 1986 or the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

(m) Access to buildings are to be provided for people with disabilities in accordance with the National Construction Code Building Code of Australia, AS1428.1 and Disability (Access to Premises – Buildings) Standards 2010.

(n) If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.

Commissioner Adair returned to the meeting at 1:31pm.

3.6 Part 11B Development Application - Mixed-use development at 930 Albany Highway, East Victoria Park - Determination (SD-042-25)

REASONS FOR DECISION

Members discussed their reasons for supporting the proposal and outlined the following:

- The topography and physical constraints of the site justify the proposed height, plot ratio, and above-ground parking solution.
- The development delivers a well-considered design outcome, including appropriate tower separation, functional layout, and contribution to an evolving streetscape.
- There is demonstrated community support, with notable positive public submissions and recognition that the project will add to the local economy and encourage residential growth along the Albany

Highway corridor in an area which has been undeveloped for some time.

- The proposal's variations to height and plot ratio relative to the draft Precinct Structure Plan was considered context-appropriate and largely due to the impact of site topography and impact on parking design.

Members agreed to endorse the recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the Department's report.

Moved by Member Harman
Seconded by Commissioner Adair

That the Statutory Planning Committee resolves:

A. to note this application is capable of being determined under the applicable planning instrument, being the Town of Victoria Park Local Planning Scheme No. 2 and it has been considered and determined accordingly; and

B. under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-042-25 and accompanying plans (date-stamped 31 March 2026) for a mixed-use development at 930 Albany Highway, East Victoria Park, subject to the following:

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 31 March 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Victoria Park.*

3. *A copy of the final working drawings (prepared for submission of relevant building permit application(s)) and all associated plans,*

reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission. (WAPC).

The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.

4. *Prior to submission of the relevant building permit application(s), the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), demonstrating that the development is to be constructed with high quality and durable external materials and finishes, which are consistent with or enhance those detailed on the approved elevations of the development (date-stamped 31 March 2026), to the satisfaction of the Western Australian Planning Commission.*

5. *Prior to submission of the relevant building permit application(s), the development plans are to be revised to incorporate the following:*

    i. *windows to residential lift lobbies in the western tower to be operable or louvred (or similar) to allow for natural ventilation;*
    ii. *the north facing bedroom windows being fixed (except Unit 8, 13, 19, 25, 31, 37, 40, 43);*
    iii. *specify glazing to the Terminus Lane entry lobby;*
    iv. *a dedicated bicycle parking bay for every apartment and storage space for light electric vehicles (ie. cargo bikes and scooters) outside of individual store rooms;*
    v. *the stairs in the commercial tenancy being reconfigured to resolve the conflict/closeness of the stair entry with the building column; and*
    vi. *internal material for the residential lifts to be selected for ease of maintenance and cleaning.*

    The revised plans are to be submitted to and approved by the Western Australian Planning Commission, on advice of the Town of Victoria Park.

6. *Prior to the occupation of the development:*

    (a) *arrangements are to be made for the 1 metre wide portion of land required for the widening of Terminus Lane as shown on the development plans (date stamped 31 March 2026) to be set aside as a separate lot for future acquisition and ceded to the State of Western Australia, to the satisfaction of the Western Australia Planning Commission*

(b) The area for the widening of Terminus Lane shall be constructed, sealed and drained to the satisfaction of the Western Australian Planning Commission, on the advice of the Town of Victoria Park.

7. *Prior to occupation of the development, the applicant is to register on the certificate/s of title a notification, pursuant to section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

   "This lot is located within a precinct that may be affected by potentially heightened ambient noise levels and other factors (activity, noise, light, traffic and late hours of operation) within public and private areas than that normally associated with a typical residential area."

8. *Prior to occupation of the development, suitable arrangements are made for a minimum of five multiple dwellings to be managed and operated by a registered community housing provider, to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Victoria Park.*

9. *Prior to occupation of the development, an Affordable Housing Management Plan, being submitted to and approved by the Western Australian Planning Commission, on advice of the Town of Victoria Park.*

Amenity

10. *Prior to submission of the relevant building permit application(s), details of any proposed air-conditioning condensers, external building plant, piping, ducting, or transformers being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on the residential dwellings and that of neighbouring properties external to the site and the public realm, being submitted to, and approved by, the Western Australian Planning Commission, on advice from the Town of Victoria Park.*

11. *Prior to occupation of the development, external clothes drying facilities shall be screened from view from the street or any other public place, to the satisfaction of the Western Australian Planning Commission.*

12.

(a) *Prior to submission of the relevant building permit application(s), a lighting plan is to be provided by a suitably qualified consultant demonstrating that lighting is to be provided to all car parking areas, building facades and the public forecourt in accordance with the relevant Australian Standards AS1158.3.1 and AS4282, and approved by the Western Australian Planning Commission, on advice from the Town of Victoria Park.*

(b) *Prior to occupation of the development, the applicant is to demonstrate the lighting has been installed in accordance with the approved lighting plan, to the satisfaction of the Western Australian Planning Commission.*

(c) *The approved plans are to be implemented and adhered to unless otherwise approved by the Western Australian Planning Commission, on advice from the Town of Victoria Park.*

13.

(a) *Prior to submission of the relevant building permit application, the Acoustic Report, (date-stamped 16 October 2025) is to be modified to reflect the approved development plans and be submitted to and approved by the Western Australian Planning Commission, on advice from the Town of Victoria Park.*

(b) *Prior to occupation of the development, certification is to be provided from a qualified acoustic consultant confirming that the recommendations of the approved Acoustic Report have been implemented, to the satisfaction of the Western Australian Planning Commission.*

14. Prior to occupation of the development, all window shade hoods and visual privacy screening must be installed and maintained in perpetuity for the duration of the development to the satisfaction of the Western Australian Planning Commission.

Construction

15.

(a) *Prior to submission of the relevant building permit application(s), a Construction Management Plan is to be submitted to and approved by, the Western Australian Planning Commission, on advice from the Public Transport authority and the Town of Victoria Park.*

The plan is to address the following, but not limited to:

i. hours of construction;
ii. temporary fencing, hoardings, gantries, and signage;
iii. site access and egress;
iv. pedestrian and cyclist management and any footpath obstructions;
v. parking arrangements for staff and contractors;
vi. deliveries and storage of construction materials and machinery;
vii. management of vibration, dust, and erosion;
viii. management of any site dewatering or stormwater discharge;
ix. management of construction noise and other site generated noise;
x. demolition and construction waste management, recycling, and removal;
xi. protection of street trees and public realm infrastructure;
xii. public communication and complaint handling procedures;
xiii. management of any acid sulfate soils;
xiv. investigation, management and/or remediation of any identified contaminated soil or groundwater that may be excavated or disturbed during construction; and
xv. A Traffic Management Plan - including identifying any potential impacts to bus stops and bus services surrounding the development site and appropriate mitigation measures

(b) The approved Construction Management Plan is to be implemented to the satisfaction of Western Australian Planning Commission.

16. *Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period.*

    These structures are to be located so as not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the Western Australian Planning Commission and are to be removed prior to initial occupation of the development.

17. *Prior to submission of the relevant building permit application(s), a dilapidation report prepared by a suitably qualified professional is to be submitted to the satisfaction of the Western Australian Planning Commission on advice from the Town of Victoria Park, detailing the current condition and status of all buildings, surrounding paved areas and ancillary structures, including but not limited to the buildings and structures on the following properties within 100 metres of the development site boundaries and road reserves.*

A copy of the dilapidation reports is to be provided to the Town of Victoria Park and the respective landowners of the abovementioned properties.

In the event that access for undertaking the dilapidation survey is denied by a landowner, the applicant must demonstrate in writing to the satisfaction of the Western Australian Planning Commission that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Stormwater

18.

(a) Prior to submission of the relevant building permit application(s), a Development Water Management Plan demonstrating that all stormwater can be retained on-site, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Town of Victoria Park.

(b) The approved Development Water Management Plan is to be implemented to the satisfaction of the Western Australian Planning Commission.

Landscaping

19.

(a) Prior to submission of the relevant building permit application(s), final Landscape Plans and specifications are to be submitted to and approved by the Western Australian Planning Commission, on advice from the Town of Victoria Park. The final Landscape Plans are to include:

i. Resolution of ground treatment, including permeable paving, to support the health of the feature tree;

(b) Prior to occupation of the development, certification that the landscape areas and reticulation has been completed in accordance with the final approved Landscape Plan is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Victoria Park.

(c) The landscaping and reticulation is to thereafter be maintained, in accordance with the approved landscaping plan, by the

landowner/applicant or operators of the development to the satisfaction of the Western Australian Planning Commission.

Public Art

20.

(a) Prior to submission of the relevant building permit application(s), a public art concept for the subject development to the value of 1% of the final construction value must be submitted to, and approved by, the Western Australian Planning Commission on advice from the Town of Victoria Park.

(b) Prior to occupation of the development, the approved public art is to be installed by the developer and maintained thereafter by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

21. The existing verge levels at the property boundary and tree/s within the road reserve are to be retained and protected during development works and shall not be altered without prior approval to the satisfaction of the Western Australian Planning Commission, on advice of the Town of Victoria Park.

22. The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans, including elevations and perspectives (date stamped 31 March 2026) (other than as amended by conditions of approval) to the satisfaction of the Western Australian Planning Commission.

23. Prior to occupation of the development, the external face of all boundary walls on or adjacent to the lot boundaries are to be rendered and finished to a high standard consistent with the external finishes of the development, to the satisfaction of the Western Australian Planning Commission.

24. Prior to occupation of the development, a non-sacrificial anti-graffiti coating is to be applied to the external surfaces of the development and thereafter maintained, to the satisfaction of the Western Australian Planning Commission.

Operational Management

25. Prior to the occupation, an Operational Management Plan/s being prepared and approved by the Western Australian Planning Commission on advice of the Town of Victoria Park, including:

i. Deliveries, loading and unloading of goods, equipment or the like;
ii. Landscaping maintenance plan.

Waste Management

26.

(a) Prior to submission of the relevant building permit application(s), the Waste Management Plan dated 27 March 2026 is to be updated to reflect the detailed design, and submitted to and approved by the Western Australian Planning Commission, on advice from the Town of Victoria Park.

(b) The approved Waste Management Plan is to be implemented and adhered to by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Traffic and Parking

27. Prior to submission of the relevant building permit application(s), details of the car stacker system is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Town of Victoria Park, which address the following, but not limited to:

i. The operations, mechanics and maintenance including at times of emergency, power failure or other obstruction to its potential operation in accordance with AS5124:2017; and

ii. A minimum 2.1 metre top of platform to top of platform height, with a minimum 2.0m clear headroom height to the top most level.

28. Prior to submission of the relevant building permit application(s), details of the access management arrangements are to the submitted to and approved by the Western Australian Planning Commission, on advice of the Town of Victoria Park, addressing the traffic light system, emergency vehicle access and access ramp gradients.

29.

(a) Prior to occupation of the development, certification is to be provided by a suitably qualified professional confirming that all points of ingress and egress, vehicle access-ways, loading bays, car parking spaces, universal access, end of trip facilities and

bicycle parking are consistent with the approved plans and have been constructed, drained, sealed and marked in accordance with the relevant Australian Standard, to the satisfaction of the Western Australian Planning Commission, on advice from the Town of Victoria Park.

(b) All car parking spaces, loading bays, bicycle parking and access-ways are to be maintained by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

(c) The parking areas and associated access-ways must not be used for the purpose of storage or obstructed in any way, to the satisfaction of the Western Australian Planning Commission.

Sustainability

30.

(a) Prior to submission of the relevant building permit application(s), a final Sustainability Report detailing the initiatives to achieve a minimum 5 Star Green Star or equivalent certification, is to be submitted to and approved by the Western Australian Planning Commission.

(b) Prior to occupation of the development, certification is to be provided from a suitably qualified environmental consultant confirming the implementation of the sustainability measures contained within the final approved Sustainability Report, and the ability of the development to be thereafter occupied and operated in accordance with the final approved Sustainability Report, to the satisfaction of the Western Australian Planning Commission.

Advice Notes

(a) This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license/permit requirements that may relate to the development. Contact the Town of Victoria Park for further advice on building, health, engineering and road reserve requirements.

(b) With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.

(c) With regard to Condition 3, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission (WAPC), and any variations from the approved plans are required to be clearly identified.

Once the WAPC is satisfied that the working drawings are consistent with the approved development plans and any reports and information submitted have adequately addressed the conditions of approval, the WAPC will provide a clearance letter and copies of the working drawings to the landowner/applicant to assist with the issuing of a building permit.
Where works and/or building permits are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval. In such cases a Conditions Staging Matrix will need to be completed and submitted for the WAPC approval.

Interim documentation may be acceptable for the clearance of some conditions for the initial stages of the development, in accordance with an approved Conditions Staging Matrix. In an instance where interim documents or plans are accepted by the WAPC, the documentation is required to identify the time or stage for the delivery of the final documents and/or plans.

The final plans and documents submitted to the Western Australian Planning Commission to satisfy the conditions if this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local of State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the Commission, via an Amendment Application process (Form 11B-2).

(d) With regard to Condition 4, the final details should include details for the laundry facilities in kitchen areas to ensure compliance with the Town of Victoria Park Health Local Law.

(e) With regard to condition 8, the suitable arrangements may include a legal agreement (or such other alternative) which sets out the terms to ensure the provision of a minimum of five dwellings designated as affordable dwellings to be managed by a community housing provider, in perpetuity. This may include the following details:

i. Restricting the sale of the applicable dwellings;
ii. Management arrangements for the affordable rental;

iii. *Where necessary provides for a restrictive covenant registered against the title of the relevant dwellings.*

The cost for the legal agreement arrangements shall be at the applicant's expense. The parties subject to the agreement are to include the applicant, Western Australian Planning Commission and the Town of Victoria Park.

(f) In regard to condition 9, the Affordable Housing Management Plan shall set out the arrangements between the applicant and a registered community housing provider for the occupation of the dwellings by eligible tenants, if rental or acquisition.

(g) In relation to Condition 15, the Department of Health advises that operational service stations have been known to leak petroleum hydrocarbons and other hazardous chemicals into groundwater. These contaminants can migrate to adjacent or nearby land, posing a public health risk.

Investigations, remediation or other management measures should therefore be undertaken of potential soil and groundwater contamination, to ensure the site is suitable for residential use.

The Public Transport Authority advises that the Traffic Management Plan should include:

i. *A Traffic Guidance Scheme and full details of any proposed bus route or bus stop disruption and any associated proposed mitigation measures.*

ii. *The inclusion of an annotation stating "The Public Transport Authority and Transperth require a minimum notice period of 10 business days prior to any proposed road closure and will be contacted by emailing transperth.servicedisruptions@pta.wa.gov.au ".*

Please contact transperth.servicedisruptions@pta.wa.gov.au if further information is needed to assist in preparation of the Traffic Management Plan.

(h) With regard to condition 19, the landscaping plans are to align with the approved Landscape Plans (date-stamped 16 October 2026) and Development Plans (date-stamped 31 March 2026).

Any proposed landscape works outside the development lot boundaries will require consent from the Town of Victoria Park prior to the commencement of any works.

(i) With regard to Condition 26(a), the Waste Management Plan is to include details of how waste storage and collection will take place from the Right of Way with minimal impact on traffic flow, minimal risk to vehicular and pedestrian safety (eg waste collection timing for shared entry space) and minimal noise amenity impact to residents (eg minimising loud noises from waste collection, and timing waste collection to reduce amenity impact).

(j) If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.

The motion was put and carried

5. Urgent or other business

Nil.

6. Meeting conclusion and closure

The next ordinary meeting is scheduled for 9:00am on Wednesday, 24 June 2026.

There being no further business before the Committee, the Chairperson thanked members for their attendance and declared the meeting closed at 1:41pm.

CHAIRPERSON

10/07/2026

DATE