



Western
Australian
Planning
Commission

Planning and Development Act 2005

Section 171P(1)

Approval of Form 11B-1 Significant Development Application

WAPC Ref: SD-042-25

Property Location: 930 Albany Highway, East Victoria Park

Application Details: Mixed-use development

Determination Date: 10 June 2026

Determination Notice Issue Date: 2 July 2026

Under delegation of the Western Australian Planning Commission, the Statutory Planning Committee resolved to:

- 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 Section 171P(1) of the *Planning and Development Act 2005*, **APPROVE** the above application and accompanying plans (31 March 2026), 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 be 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.

Reasons for Decision

Extract from the Minutes of the Statutory Planning Committee meeting of 10 June 2026:

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.