



Metro Inner Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 26 June 2025; 9:30am
Meeting Number: MIDAP/84
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:

[MIDAP/84 - 26 June 2025 - City of Vincent - Town of Victoria Park](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF VINCENT

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lots 3 & 4 (Nos. 14 & 16) Woodville Street, North Perth – Grouped Dwellings (6) – DAP/25/02875
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – TOWN OF VICTORIA PARK

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Nos. 1022-1032 Albany Highway & Nos. 355-357 Shepperton Road, East Victoria Park (Lots 1, 8, 30, 131, 132, 480, 481, 488 & 502) – Supermarket, Restaurant/cafe and child care premises) – DAP/24/02746
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. Meeting Closure

Karen Hyde
Presiding Member, Metro Inner DAP



| ATTENDANCE | |
|---------------------------------------|--|
| <i>Specialist DAP Members</i> | <i>DAP Secretariat</i> |
| Karen Hyde (Presiding Member) | Kristen Parker |
| Dale Page (Deputy Presiding Member) | Ashlee Kelly |
| Andrew Howe | |
| <i>Part B – City of Vincent</i> | |
| <i>Local Government DAP Members</i> | <i>Officers/Technical Advisors in Attendance</i> |
| Cr Ashley Wallace | Karsen Reynolds |
| Cr Alex Castle | James Jago |
| <i>Part C – Town of Victoria Park</i> | |
| <i>Local Government DAP Members</i> | <i>Officers/Technical Advisors in Attendance</i> |
| Cr Peter Melrosa | Robert Cruickshank |
| Cr Daniel Minson | Richard Farmer |
| | Fiona Aitkins (TBB) |

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| Applicant and Submitters |
|---|
| <i>Part B – City of Vincent</i> |
| Declan Creighan (Urbis) Ben Stoneridge (Urbis) Felipe Soto (Space Collective Architects) Daniel Rainone (Bluerock) |
| <i>Part C – Town of Victoria Park</i> |
| Cameron Liebgott (Urbis) Sam Laybutt (PTG) Mason Harrison (Hames Sharley) Alicia Jones (Woolworths) |

Members of the Public / Media

Nil.

Observers via livestream

There were 12 persons observing the meeting via the livestream.

Karen Hyde
Presiding Member, Metro Inner DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:30am on 26 June 2025 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2024 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Dr Nicole Woolf (Local Government DAP Member, City of Vincent)
Cr Jonathan Hallett (Local Government DAP Member, City of Vincent)

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

Karen Hyde
Presiding Member, Metro Inner DAP



PART B – CITY OF VINCENT

1. Declaration of Due Consideration

The Presiding Member noted that details of a DAP direction for further information and responsible authority response in relation to Item 3.1, received on 23 June 2025 was published in Part B of the Related Information.

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Related Information.

2. Disclosure of Interests

DAP Member, Cr Nicole Woolf, declared an impartiality interest in Item 3.1. Cr Woolf lives on Woodville Street, the same street as the proposed development.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the DAP Executive Director determined that the member listed above, who had disclosed an impartiality interest, was not permitted to participate in the discussion and voting on the item.

3. Form 1 DAP Applications

3.1 Lots 3 & 4 (Nos. 14 & 16) Woodville Street, North Perth – Grouped Dwellings (6) – DAP/25/02875

Deputations

Declan Creighan (Urbis) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Felipe Soto (Space Collective Architects) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Daniel Rainone (Bluerock) responded to questions from the panel.

The City of Vincent addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

Karen Hyde
Presiding Member, Metro Inner DAP



REPORT RECOMMENDATION

An administrative amended was made to the refer to the correct DAP number in the preamble of the recommendation.

Moved by: Andrew Howe

Seconded by: Dale Page

That the Metro Inner DAP resolves to:

1. **Approve** DAP Application reference DAP/25/02875 and accompanying plans included in **Attachment 2** in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City of Vincent Local Planning Scheme No. 2, subject to the following conditions:

Conditions

1. General

- 1.1. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
- 1.2. This approval is for Six (6) Grouped Dwellings as defined in the City of Vincent Local Planning Scheme No. 2 and as shown on the approved plans dated 6 June 2025 and 9 June 2025, subject to any modifications required by any condition of this approval. No other development forms part of this approval.

2. Building Design

- 2.1. The surface finish of boundary walls facing Nos. 30-44 (Lot: 2, Plan: 2028) Angove Street shall be of a good and clean condition, **prior to the occupation or use of the development**, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls shall be single course face brick, or material as otherwise approved, to the satisfaction of the City.
- 2.2. **Prior to the occupation or use of the development** Functional Utilities, as defined by the Residential Design Codes, excluding solar collectors, shall:
 - a) be located behind street setback areas and not visible from Woodville Street or Menzies Street;
 - b) designed to integrate with the development; and
 - c) are located and/or screened so they are not visually obtrusive and minimise impacts to habitable rooms and private open space on the subject site and adjoining properties.to the satisfaction of the City

Karen Hyde
Presiding Member, Metro Inner DAP



- 2.3. **Prior to the occupation or use of the development** Service Utilities, as defined by the Residential Design Codes, excluding letterboxes, shall be integrated into the design of the development and/or screened from view of the streets, to the satisfaction of the City. Where attached to a wall, meter boxes shall be painted the same colour as the wall to which they are attached, to the satisfaction of the City.
- 2.4. At least one window to each habitable room shall be operable in design, to the satisfaction of the City.
- 2.5. Doors to store rooms shall be designed to not open into the store rooms, to the satisfaction of the City.
- 2.6. **Prior to the lodgement of a building permit**, a lighting plan shall be submitted to and approved by the City demonstrating the adequate provision of lighting to the common property driveway. The approved lighting plan **shall be implemented prior to occupation or use of the development**, and thereafter maintained by the owners/occupiers, to the satisfaction of the City (see Advice Notes).
- 2.7. Awnings or other projections from the proposed development –
a) Into the Woodville Street road reserve, shall be a minimum of 2.75 metres above the footpath level below; and
b) Within 1.0 metres of right of way boundary, shall be a minimum of 5.5 metres above the adjacent right of way pavement level.
Any awnings or projections shall thereafter be maintained by the owners/occupiers, to the satisfaction of the City.
3. Colours and Materials
- 3.1. **Prior to the lodgement of the relevant building permit**, a detailed schedule of external colours, materials and finishes shall be submitted to and approved by the City. The schedule shall be generally consistent with the approved development plans and the *LPP 7.1.1 Assessment/ Design Report* prepared by Space Collective Architects, dated January 2025.
- 3.2. **Prior to occupation or use of the development** the development shall be finished, and thereafter maintained, in accordance with the approved schedule of colours and materials, unless otherwise approved, to the satisfaction of the City.
4. Landscaping
- 4.1. **Prior to the lodgement of the relevant building permit**, an amended landscape and reticulation plan for the development site and the adjoining road verge and right of way widening area, shall be lodged with the City for approval.
- The landscaping plan shall be drawn to a scale of 1:100, be generally consistent with the Landscape Concept Plan (Revision E) by Kelsie Davies

Karen Hyde
Presiding Member, Metro Inner DAP



Landscape Architecture, received on 6 June 2025, and include the following details:

- The location and type of proposed trees and plants, including those located on-structure.
- The location and layout of irrigation or reticulation to landscaping to ensure its ongoing health.
- A minimum 13.0 percent (95.5 square metres) of the total site area as soft landscaping which is to include a minimum of 4.4 percent (32.2 square metres) of the total site area as deep soil area, as defined by the Residential Design Codes.
- A minimum of 62.0 percent (66 square metres) of the Menzies Street setback as soft landscaping, as defined in the Residential Design Codes.
- The provision of at least 13 small trees within the deep soil areas and on-structure planting areas provided, to the City's satisfaction.
- The provision of plantings within the roof terrace on-structure planters between Units 2 and 3, and Units 4 and 5 that achieve a minimum height of 1.6 metres at the time of first occupancy, as measured from the finished floor level of the roof terraces.
- The provision of landscaping to the Menzies Street verge, generally consistent with the landscaping plans. The location and design of the verge landscaping shall be to the City's satisfaction and specifications.

4.2. **Prior to the occupation or use of the development**, all works shown in the approved landscaping plan shall be undertaken in accordance with the approved plans to the satisfaction of the City, and maintained thereafter to the satisfaction of the City, at the expense of the owners/occupiers.

5. Car Parking, Access and Bicycle Facilities

5.1. **Prior to the occupation or use of the development**, a 1.0 metre by 1.0 metre paved splay shall be provided to the northern side of the driveway, where it meets the right of way, to the satisfaction of the City.

5.2. **Prior to the occupation or use of the development**, the car parking spaces shown on the approved plans shall be clearly marked, and thereafter maintained, for the exclusive use of the development, to the satisfaction of the City.

5.3. All vehicle parking, manoeuvring and access areas shall be constructed, paved and drained in accordance with the approved plans and are to comply with the requirements of Australian Standard AS2890.1, to the satisfaction of the City.

5.4. **Prior to the occupation or use of the development**, redundant or "blind" crossovers shall be removed and the verge and kerb made good to the City's specification at the applicant/owner's expense, to the satisfaction of the City.

Karen Hyde
Presiding Member, Metro Inner DAP



6. Notification on Title

Prior to the occupation or use of the development, a Notification under Section 70A of the *Transfer of Land Act 1893* shall be registered over the certificate(s) of title to the land the subject of the proposed development. The notification shall notify owners and prospective purchasers of the property as follows:

"The lot is situated in the vicinity of a transport corridor and in close proximity to commercial and non-residential activities. The use or enjoyment of the property may be affected by increased noise levels resulting from live and/or amplified music, traffic, car parking and other impacts associated with nearby commercial and non-residential activities and noise and activity associated with the transport corridor."

7. Sightlines

Sightlines are to be provided as follows:

- i) Intersection of driveway and right of way: Within 2.0 metres of where the driveway meets the right of way boundary, no new walls, fences or other structures shall be constructed or landscaping permitted to grow that is more than 0.75 metres above the natural ground level, unless located more than 2.75 metres above the natural ground level, to the satisfaction of the City.
- ii) Intersection of right of way and Menzies Street: Within 3.0 metres of where the existing right of way boundary intersects with Menzies Street, no development shall be constructed or landscaping permitted to grow that is more than 0.75 metres above the natural ground level, to the satisfaction of the City.

8. Street Walls and Fences

Gates and/or fencing infill panels above the approved solid portions of wall/fence to Menzies Street and within the Menzies Street setback, shall be visually permeable in accordance with the Residential Design Codes Volume 1, to the satisfaction of the City.

9. Acoustic Report

Prior to the occupation or use of the development, written certification shall be provided from a qualified acoustic consultant confirming that all recommended measures provided in the Acoustic Report (E-Lab Consulting, December 2024, Reference P0155212), or other report by a qualified acoustic consultant as approved by the City, have been implemented. The acoustic measures and treatments are to be maintained thereafter, unless otherwise approved, to the satisfaction of the City.

Karen Hyde
Presiding Member, Metro Inner DAP



10. Construction Management

10.1. All six grouped dwellings shown on the approved plans shall be constructed concurrently.

10.2. **Prior to the lodgement the relevant building permit** a Construction Management Plan (CMP) is to be prepared and submitted to the City for approval. The CMP is to detail how the construction of the development will be managed to minimise the impact on the surrounding area.

The CMP shall address the following matters in relation to works to take place on the site:

- Public safety, amenity and site security;
- Contact details of essential site personnel;
- Construction hours;
- Noise control and vibration management;
- Sand, dust, stormwater and sediment control;
- Waste management;
- Traffic and access management on Woodville Street, Menzies Street and the Right of Way;
- Parking arrangements for contractors and subcontractors;
- Communication plan with nearby properties; and
- Compliance with AS4970-2009 relating to the protection of trees around the development site.

10.3. The approved CMP shall be implemented and complied with, for the duration of the construction of the development, to the satisfaction of the City.

11. Waste Management

The Waste Management Plan (Talis, January 2025, Reference WMP25003) shall be implemented **at the commencement of occupation or use of the development**. The development shall operate in accordance with this plan at all times, to the satisfaction of the City unless otherwise approved.

12. Environmentally Sustainable Design

Prior to the occupation or use of the development, the environmentally sustainable design measures outlined in the Environmentally Sustainable Design Memo (Stantec, January 2025, Reference: 301252126), shall be implemented, to the satisfaction of the City, unless otherwise approved.

13. Stormwater

Stormwater from all roofed and paved areas within the subject site shall be collected and contained on site. Stormwater is not to affect or be allowed to flow onto or into any other property or road reserve.

Karen Hyde
Presiding Member, Metro Inner DAP



Advice Notes

1. This is a development approval only and is issued under the City of Vincent's Local Planning Scheme No. 2 only. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with any other laws.
2. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005*, Part 14. An application must be made within 28 days of the determination.
3. With reference to the finish of boundary walls, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties to make good the boundary walls.
4. Any external artificial lighting installations, including common areas, shall comply with Australian Standard AS4282-1997 'Control of the obtrusive effects of outdoor lighting' and shall not shine or reflect into other properties, creating a nuisance.
5. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and right of way reserve levels to the satisfaction of the City.
6. Any future strata title of the property should be consistent with this approval and the lot sizes demonstrated in the application.
7. All landscaping shall be maintained in accordance with the approved landscaping plan for the life of the development. Landscaping maintenance requirements should be incorporated into the strata management plan to ensure all communal and individual landscaping areas within the strata property are appropriately maintained.

Modifications to the approved landscaping that has been installed on-site at the time of occupancy will require subsequent approval of the City. The City encourages landscaping methods and species selection which do not rely on reticulation.

8. With reference to the landscaping within the right of way widening area is to be maintained by the owners/occupiers of the development until such time as the land is required for widening of the right of way.
9. The Residential Design Codes Volume 1 defines visually permeable as "*in reference to a wall, gate, door or fence that the vertical surface has continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area; continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or a surface offering equal or lesser obstruction to view; as viewed directly from the street*".

Karen Hyde
Presiding Member, Metro Inner DAP



10. The construction of parking, manoeuvring and access areas shall be paved with either asphalt, concrete, bricking paving or other hard surface, as approved by the City.
11. With reference to the Construction Management Plan, the owner/applicant may be required to obtain a Work Zone Permit from the City to satisfy this Condition. The requirement for, and cost of any such permit shall be determined by the City following the lodgement of a Building Permit.
12. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
13. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to the commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
14. All stormwater produced on the subject site shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.

Stormwater collected from the awning within the Woodville Street road reserve may be discharged into the City's drainage infrastructure. Connection to the City's drainage infrastructure is to be provided and maintained to the City's specification and at the expense of the applicant/owner.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

Karen Hyde
Presiding Member, Metro Inner DAP



REASON: The site is in a designated District Centre, which is currently undergoing transition from a low scale commercial area into an area with higher density and mixed-use developments, which range in height from three to six storeys. The proposal meets the intent of the City's Local Planning Strategy for this area, the objectives of the District Centre Zone under the City's planning scheme, as well as the relevant provisions of the R-Codes and the City's Built Form Policy. Although the R-Codes do not have the same statutory weight in the assessment of this proposal as they would if a density coding were allocated to the site under the scheme, the panel noted and supported the City's assessment of the proposal as an R80 development against Part C the R-Codes. The panel considered the variations to the minimal lot sizes, as proposed by the R Codes to be minimal and impacting only one lot by 7m², whereas the average lot size across the 6 lots was more than 100m². This minor variation was considered appropriate in the context of performance criteria. The City's Built Form Policy supports a height of four storeys on this site, so even if the roof terraces were to be considered as a storey (which they are not), the proposal would meet the height provisions of the City's policy. Although there have been some concerns raised by members of the community about impact on the streetscape and character of the area, potential for overshadowing and potential parking and traffic issues, the panel noted that this site could potentially be developed with up to 21 apartments. Instead, only six grouped dwellings are proposed which provide a more thoughtful and appropriate transition between the lower density development to the north and the activity centre along Angove Street. The proposed building and associated landscaping are high quality and have received the full support the City's Design Review Panel across all 10 principles of SPP7.0. In relation to parking, the proposed number of bays has been well justified by both the applicant and City, using solid planning rationale and evidence-based arguments using on street parking data, data on public car park availability, and information on alternative modes of transport that are readily available in this location. Adequate allowance has been made for the potential widening of the ROW following the completion of studies and forward works programme by the City. The panel noted the landscape proposal included on structure soft land scape and expressed a desire for the future strata scheme to ensure maintenance, noting that this was beyond the control of the planning framework but nonetheless important to the streetscape and overall amenity of the area. Overall the panel were unanimous that the proposal was a well-designed development which will ensure the provision of much-needed housing and a diversity of housing typologies.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Cr Ashley Wallace & Cr Alex Castle (Local Government DAP Members, City of Vincent) left the panel at 9:54am.

Andrew Howe (Specialist DAP Member) left the panel at 9:54am.

Karen Hyde
Presiding Member, Metro Inner DAP



PART C – TOWN OF VICTORIA PARK

Cr Peter Melrosa & Cr Daniel Minson (Local Government DAP Members, Town of Victoria Park) joined the panel at 9:57am.

1. Declaration of Due Consideration

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 3.1, received on 25 June 2025.

All members declared that they had duly considered the documents contained within Part C of the Agenda and Part C of the Related Information.

2. Disclosure of Interests

DAP Member, Karen Hyde, declared an impartiality interest in item 3.1. Ms Hyde was employed by TBB until September 2024, TBB was engaged to undertake the planning Assessment work on behalf of the Town. Ms Hyde was not involved in the DA assessment that TBB did.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the DAP Executive Director determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in the discussion and voting on the item.

DAP Member, Andrew Howe, declared a pecuniary interest in item 3.1. Mr Howe is a casual employee of Element Advisory, who lodged a submission on the application on behalf of Hawaiian Investments.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the DAP Executive Director and Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was not permitted to participate in the discussion and voting on the item.

In accordance with section 2.4.9 of the DAP Code of Conduct 2024, DAP Member, Cr Daniel Minson and Cr Peter Melrosa, declared that they had participated in a prior Council meeting in relation to the application at item 3.1. However, under section 2.1.2 of the DAP Code of Conduct 2024, Cr Minson and Cr Melrosa acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 3.3 of the DAP Code of Conduct 2024, the Presiding Member determined that the members listed above, who had disclosed an impartiality interest, are permitted to participate in the discussion and voting on the item.

Karen Hyde
Presiding Member, Metro Inner DAP



3. Form 1 DAP Applications

3.1 Nos. 1022-1032 Albany Highway & Nos. 355-357 Shepperton Road, East Victoria Park (Lots 1, 8, 30, 131, 132, 480, 481, 488 & 502) – Supermarket, Restaurant/cafe and childcare premises) – DAP/24/02746

Deputations

Cameron Liebgott (Urbis) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Sam Laybutt (PTG) and responded to questions from the panel.

Mason Harrison (Hames Sharley) and responded to questions from the panel.

The Town of Victoria Park addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

REPORT RECOMMENDATION

Moved by: Cr Daniel Minson

Seconded by: Cr Peter Melrosa

That the Metro Inner Development Assessment Panel approve DAP/24/02746 for Proposed Shops (including Supermarket), Restaurant(s)/Cafe(s) and Child Care Premises at Nos. 1022-1032 Albany Highway and Nos. 355-357 Shepperton Road (Lots 1, 8, 30, 131, 132, 480, 481, 488 and 502), East Victoria Park, subject to the following conditions and advice notes –

Legal

1. Prior to the issuing of an occupancy permit, the subject lots (Lots 1, 8, 30, 131, 132, 480, 481, 488 and 502) are to be amalgamated into a single lot on a Certificate of Title.
2. Prior to the issuing of an occupancy permit, a circa 524m² portion of the subject site shall be ceded to the Crown as a public road to provide vehicle access between Shepperton Road and that portion of ROW 54 known as Lot 501.
3. Prior to occupancy, an easement is to be registered in favour of the Town over that part of the site occupied by the Town's relocated stormwater pipes which enables access to the relocated stormwater pipes by the Town and its contractors at all reasonable times in perpetuity.

Karen Hyde
Presiding Member, Metro Inner DAP



Vehicle access

4. Access to Albany Highway to be restricted to left in and left out only. The applicant/owner is to submit detailed design drawings of the proposed measures to be implemented to restrict vehicle access to Albany Highway to left-in and left out only, which shall generally be in accordance with the concept sketch at Figure 16 of the Transport Impact Assessment report dated 5 June 2025. The approved access restriction measures are to be implemented to the Town's satisfaction prior to occupancy. The applicant/owner is responsible for all costs associated with the design and implementation of the approved access restriction measures.
5. The existing on-street parking bays on Albany Highway adjacent to the development site are to be removed and converted to an extended lane for vehicle movement to the east to the satisfaction of the Town, prior to occupancy of the development. The applicant/owner is responsible for all costs associated with implementing this.
6. The existing right turn pocket on the Albany Highway (west leg) approaching the Shepperton Road/Welshpool Road intersection is to be extended to the satisfaction of the Town, with detailed design drawings being submitted for the Town's approval and the approved design being implemented prior to occupancy of the development. The applicant/owner is responsible for all costs associated with design and implementation.
7. The proposed new access road linking Shepperton Road to ROW 54, as required by condition 2, is to be constructed to the satisfaction of the Town prior to the removal of the existing access from Shepperton Road to ROW 54 over Lot 502. Detailed design drawings are to be submitted for the Town's approval with the applicant/owner being responsible for all costs associated with design and implementation.
8. New line marking is to be installed on the section of Oats Street between Albany Highway and Shepperton Road so that there are two marked lanes in each direction, or other suitable arrangement, to the satisfaction of the Town. Detailed design drawings are to be submitted for the Town's approval and the approved design is to be implemented prior to occupancy of the development. The applicant/owner is responsible for all costs associated with design and implementation.
9. Prior to occupancy, a Service Delivery Management Plan is to be submitted and approved by the Town which includes details of deliveries to and from the site, including hours of deliveries, access movements in and around the site, and service vehicle access routes to and from the site. The approved Service Delivery Management Plan shall:
 - Restrict articulated vehicles to arriving on-site between the hours of 9pm to 7am.
 - Restrict articulated vehicles to entering the site via a right-turn from Oats Street into ROW 54, with delivery routes and schedules arranged accordingly.

Karen Hyde
Presiding Member, Metro Inner DAP



- Restrict use of the Shepperton Road access as per condition 12.

Main Roads conditions

10. Prior to the issue of a building permit, the applicant must undertake a 15% concept design for the proposed left-in / left-out (LLO) access and left-turn pocket on Shepperton Road to Main roads requirements.
11. Prior to occupation of the development, the applicant must undertake works as required by condition 10 to Main Roads requirements to restrict Shepperton Road access to left in left out traffic movements only and ensure vehicles can turn safely to and from Shepperton Road. All works shall be at the applicant's cost.
12. The crossover to Shepperton Road is limited to the below at all times:
 - Left-in movement from Shepperton shall be restricted for vehicles up to 12.5 min length and
 - Left-out movements to Shepperton Road for vehicles up to 15.0m in length.
13. Prior to occupation of the development, the redundant vehicle crossover is to be removed and kerbing, verge, and footpath (where relevant) reinstated with landscaping to the satisfaction of the Town of Victoria Park.
14. Prior to occupation of the development, all lots shall be amalgamated, and a new Certificate of Title obtained for the amalgamated lot.
15. All waste collection is to be onsite.
16. This noise sensitive development adjacent to a major transport corridor must implement measures to ameliorate the impact of transport noise. The development is to comply and implement the '*Noise Management Plan for Proposed Childcare Centre – Woolworths Group*', Revision 2, date 13/02/2025 prepared by Herring Storer Acoustics and must be implemented at all times.
17. Prior to occupation of the development, certification from a qualified acoustic consultant being submitted, confirming that the recommendations of the amended acoustic report (per the above condition 16) have been implemented is to be provided to the Town of Victoria Park.
18. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the Certificate(s) of Title of the proposed development. The notification is to state: "*The lots are situated in the vicinity of a transport corridor and are currently affected, or may in the future be affected by transport noise.*"
19. All signs must be placed on private property and must not overhang or encroach the Primary Regional Road Reservation.
20. Any proposed illumination of the sign must not exceed 300 cd/m² (candela per square metre) between sunset and sunrise and 150 cd/m² during the night.

Karen Hyde
Presiding Member, Metro Inner DAP



21. The sign must not flash, pulsate or chase.
22. The device must not contain fluorescent, reflective or retro-reflective colours or materials.
23. Vegetation within the state road reserve shall not be removed or trimmed to improve the visibility of the proposed advertising sign.
24. No works are permitted within the Shepperton Road Reservation unless Main Roads has issued a Working on Roads Permit.
25. Stormwater shall not be discharged to the Shepperton Road Reserve or the widened road reservation.
26. Prior to the issue of a building permit, the landscaping plan is to be approved to Main Roads requirements for any temporary landscaping located within the Primary Regional Road Reserve (PRRR). Landscaping must not create a safety issue by limiting sightlines to or from side roads for all road users.
27. No structural encroachment (e.g. building anchors, car parks, basements etc) below ground level is permitted within the PRRR.

Parking

28. For the life of the development and to the satisfaction of the Town, all parking within the undercroft and basement car parks is to be available for use by the public at all times that the development is open for business.
29. Prior to occupancy, an easement in gross is to be registered over that section of the site occupied by the external car bays and associated access so as to ensure public access to these bays at all times.
30. Prior to the occupation or use of the development, all car parking spaces together with their access aisles to be clearly paved, sealed, marked and drained in accordance with AS2890.1 and thereafter maintained to the satisfaction of the Town. The on-site parking provision is to include –
 - (a) A minimum of 1 ACROD bay for every 20 on-site car bays; and
 - (b) A minimum of 5 short-term parking bays being designated for the exclusive use of the child care centre.
31. Bicycle facilities for a minimum of 35 bikes, unless otherwise approved, are to be provided on-site in accordance with Australian Standard AS 2890.3 and to the satisfaction of the Town. This is to include bicycle facilities within close proximity of the entrance to the childcare centre. The bicycle parking facilities shall be installed and remain in place permanently unless otherwise approved by the Town.
32. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Town details of the proposed Electric Vehicle charging infrastructure.

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33. Prior to the occupation or strata-titling of the building(s), whichever occurs first, Electric Vehicle charging infrastructure as per the approved details being implemented to the satisfaction of the Town.
34. Prior to occupancy a detailed parking management plan is to be submitted and approved by the Town of Victoria Park, including details of:
- How alternate modes of transport will be encouraged and incentivised by the site operators, effective from the development first being occupied.
 - The allocation of car bays to staff and any measures to minimise the use of the on-site car bays by staff.
 - Measures to prevent the long-term occupation of the on-site car bays by members of the public.
 - Drop off and pick up bays for the child care use including any time restrictions on the use of the bays for drop off or pick up purposes.
 - Strategies to be employed to manage parking demand created by the site; and
 - Maintenance and management details for the end of trip facilities.

The parking management plan is to thereafter be implemented to the satisfaction of the Town.

35. Any letterbox, structure, wall or fence located within a 1.5 metre x 1.5 metre visual truncation at the intersection of any driveway and the front property boundary, is not to exceed a height of 750mm with the exception of:
- one brick pier (maximum dimensions 350mm by 350mm); and/or
 - wrought iron or similar metal tubing style infill fencing.

Landscaping

36. Prior to the submission of an application for a building permit, the applicant is to submit a final detailed landscaping plan for the Town's approval which shall include the following to the Town's satisfaction –
- Resolving inconsistencies in the drawings regarding tree removal and retention within the site and adjacent street verges
 - Clarifying the boundary location and which trees are on the private property and which are within the verge
 - All verge tree planting on Albany Highway and Shepperton Road 'Tree to the TOVP preference' to be *Corymbia maculata*.
 - Verge trees to be a maximum size of 100 litres.
 - Planting of a minimum of 25 new trees on the site.
 - A detailed playscape plan for the childcare centre including ground treatments and fall zones.
 - Proposed tree species, the depth and width of structural root zones and tree protection zones.

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37. The landscaping plan shall include at least 25 new on-site tree(s), or a lesser number agreed to by the Town, the species and height of which are to be provided to the satisfaction of the Town.
38. The landscaping areas shown on the approved final detailed landscaping plan shall be installed and reticulated prior to occupation of the development, and be thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town.
39. Existing trees located within the verge are a Town asset and as such must be retained except where otherwise approved for removal by the Town.
40. The Town's street tree(s) are to be protected from damage during all phases of development. Pruning of any street tree affected by the development on the subject site is to be undertaken by the Town, at the owner/applicant's cost.

Other matters

41. Prior to the submission of an application for a building permit, the plans being amended to incorporate the following to the satisfaction of the Town –
 - Relocating the public footpath along Shepperton Road to the lot boundary.
 - Deleting the on-site footpath providing access to the bin store area and including landscaping within this space.
 - The blank wall on the elevation facing ROW 54 being architecturally treated or to include public art.
42. The number of children and staff attending the Child Care Premises is limited to a maximum of 94 children and 20 staff at any one time.
43. All windows and doors to street frontages are to be provided with clear glazing, and are not to be subsequently obscured by alternative window treatments, signage or internal shelves, to the satisfaction of the Town.
44. Prior to lodging an application for building permit, the applicant/owner is to contribute the sum of 1.0% of the value of the total construction value towards public art. (Refer to related Advice Note)
45. Prior to the submission of a building permit application, the applicant submitting a Green Star Buildings Designed assessment report (pre-certification) prepared by a suitably qualified independent consultant, demonstrating to the satisfaction of the Town that the building design will achieve a minimum 5 star Green Star rating (or recognised equivalent).
46. Prior to occupancy, the applicant submitting a report prepared by a suitably qualified independent consultant, providing as-built certification to the satisfaction of the Town confirming that a minimum 5 star Green Star rating (or recognised equivalent) has been achieved.
47. Prior to occupation of the development, a signage strategy for future tenant and wayfinding signage is to be submitted for the Town's approval.

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48. The pylon sign to Shepperton Road is not approved as part of this application.
49. The sign labelled 'S03' on the south elevation being amended to delete the Parking and Direct-to-Boot direction signs.
50. Complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings are to be provided to the satisfaction of the Town prior to submission of an application for building permit. The development shall be constructed in accordance with the approved details and shall be thereafter maintained.
51. Prior to lodging an application for a building permit, a plan shall be submitted detailing the location of all external lighting, to the satisfaction of the Town. The lighting plan and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.
52. All plant equipment, air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas etc must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Town prior to the submission of an application for a building permit.
53. The existing Town stormwater infrastructure traversing the site being diverted at the owner's cost, generally in accordance with the design outlined in the Pritchard Francis drawings dated received 31 March 2025, to the satisfaction of the Town.
54. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Town, and thereafter implement to the satisfaction of the Town, a Construction Management Plan.
55. Development being in compliance with the Noise Management Plan (prepared by Herring Storer Acoustics dated received March 2024) for the life of the development to the satisfaction of the Town, which shall include implementation of the noise amelioration measures recommended in Appendix B of the Noise Management Plan.
56. An updated Waste Management Plan is to be submitted reflecting waste vehicle access entering from Oats Street via ROW 54 and exiting via Shepperton Road, for approval by the Town prior to occupancy. The amended approved Waste Management Plan is to be implemented and complied with for the life of the development.

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57. At all times provision must be made onsite for the storage and collection of garbage and other solid waste. A waste storage and collection area must be graded, drained and screened from public view, and the garbage collected regularly, to the satisfaction of the Town.
58. With the exception of those traffic management measures required to be undertaken as per conditions of this approval, any other works within the road reserves are not approved and require separate approval from the Town and/or Main Roads WA (as relevant).
59. All building works to be carried out under this development approval are required to be contained within the boundaries of that part of the lot the subject of this development application.
60. Prior to lodging an application for a building permit, stormwater disposal plans, details and calculations must be submitted for approval by the Town and thereafter implemented, constructed and maintained to the satisfaction of the Town.
61. Prior to occupation or use of the development, any redundant crossover/s must be removed and the verge and kerb reinstated to the specification and satisfaction of the Town.
62. To address the conditions of this approval, prior to the submission of an application for a building permit a covering letter (detailing compliance with each condition), copy of the final working drawings and relevant associated reports and information, are to be submitted by the applicant for clearance by the Town.
63. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
64. The approval also being an approval under clause 48 of the Metropolitan Region Scheme.
65. The development, once commenced, is to be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town.

Town's Advice Notes

- AN1 Estimated Helliwell valuation for removal of street trees is \$34,995.96.
- AN2 An amended Waste Management Plan is necessary to address an inconsistency between the TIA and WMP regarding waste vehicle access.
- AN3 In regard to a public art contribution, the contribution being either:
- a) Payment directly to the Town which will be placed in the Town's Community Art Reserve with the funds being used by the Town to provide public art within the same Town Planning Scheme Precinct; or

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- b) The owner/applicant is to provide public art on the development site in accordance with the procedures outlined in the Town's Developers Public Art Handbook, which includes the submission of details for approval by Council. The public art is to be completed and installed to the satisfaction of the Town prior to the occupation of the development. The public art is to be maintained thereafter by the owner/occupiers.

AN4 With respect to a Construction Management Plan, it is to address the following matters:

- a) How materials and equipment will be delivered and removed from the site;
- b) How materials and equipment will be stored on the site;
- c) Parking arrangements for contractors;
- d) Construction waste disposal strategy and location of waste disposal bins;
- e) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
- f) How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works;
- g) Construction traffic and pedestrian management; and
- h) Other matters likely to impact on the surrounding properties.

AN5 A building permit is required to be obtained from the Town prior to commencement of any work in relation to this development approval.

AN6 Crossover location and construction shall comply with the Town's Specifications for Crossover Construction. A separate application must be made to the Town's Street Improvement Unit for approval prior to construction of a new crossover.

AN7 It is recommended that the required Service Delivery Management Plan be prepared in consultation with the Town and other landowners along ROW54.

Main Roads Advice Notes

- a) Condition 1 (15% Concept Design drawings) is required to meet MRWA Drawing Presentation requirements as per the MRWA formal RTE Design Review Process given this is a proposed access and slip lane on an MRWA Asset road (website link below):

<https://www.mainroads.wa.gov.au/49a9cc/globalassets/technicalcommercial/technical-library/road-and-traffic-engineering/typical-projectprocesses/design-and-drawing-presentation/drawing-presentation-guidelines.pdf>

See table 1 for further details to assist preparation of the 15% design.

- b) Main Roads approval for signage and pavement marking modifications is required under the Road Traffic Code 2000. The proposed 'Keep Clear' at the Access 2 for the development (via Albany Highway) will be separate approval process by the MRWA Traffic Management Services.

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- c) Works within the Shepparton Road Reserve is subject to a separate approval process under Main Roads Act 1930.
- d) Main Roads is the relevant authority to approve signage on and / or visible from a state-controlled road. A further approval maybe required from for the proposed signage. Under Main Roads (Control of Advertisements) Regulations 1996.
- e) The upgrading/widening of Shepparton Road is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change.

AMENDING MOTION 1

Moved by: Dale Page

Seconded by: Karen Hyde

That Condition No.59 be amended to read as follows:

With the exception of awnings over the footpath to the Albany Highway frontage, all building works to be carried out under this development approval are required to be contained within the boundaries of that part of the lot the subject of this development application.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The additional wording is required to address the permitted encroachment of awnings beyond the property boundary and over the footpath to Albany Highway.

AMENDING MOTION 2

Moved by: Karen Hyde

Seconded by: Dale Page

That Condition No.13 be amended to read as follows:

Prior to occupation of the development, the ~~any~~ redundant vehicle crossover is to be removed and kerbing, verge, and footpath (where relevant) reinstated with landscaping to the satisfaction of the Town of Victoria Park.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To facilitate the reinstatement of kerbs and verges in the vent there is more than one crossover being removed.

Karen Hyde
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AMENDING MOTION 3

Moved by: Karen Hyde

Seconded by: Dale Page

That Condition No.14 be deleted and the remaining conditions be renumbered accordingly and any cross reference to remaining conditions.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: This condition is a duplicate of Condition 1.

AMENDING MOTION 4

Moved by: Karen Hyde

Seconded by: Cr Daniel Minson

These amendments were made en bloc:

- i) That Condition No.36 (now Condition No. 35) be amended to read as follows:

Prior to the submission of an application for a building permit, the applicant is to submit a final detailed landscaping plan for the Town's approval which shall include the following to the Town's satisfaction –

- *Resolving inconsistencies in the drawings regarding tree removal and retention within the site and adjacent street verges*
- *Clarifying the boundary location and which trees are on the private property and which are within the verge*
- ~~*All verge tree planting on Albany Highway and Shepperton Road 'Tree to the TOVP preference' to be Corymbia maculata.*~~
- *Verge trees to be a maximum size of 100 litres.*
- *Planting of a minimum of 25 new trees on the site.*
- *A detailed playscape plan for the childcare centre including ground treatments and fall zones.*
- *Proposed tree species, the depth and width of structural root zones and tree protection zones.*

The landscaping plan shall include at least 25 new on-site tree(s), or a lesser number agreed to by the Town, the species and height of which are to be provided to the satisfaction of the Town.

The landscaping areas shown on the approved final detailed landscaping plan shall be installed and reticulated prior to occupation of the development, and be thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town.

- ii) That Condition No.37 (now Condition No. 36) and Condition No.38 (now Condition No. 37) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

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REASON: All three conditions deal with the issue of landscaping and combining the conditions will avoid confusion and ensure consistency through the condition clearance stage.

AMENDING MOTION 5

Moved by: Karen Hyde

Seconded by: Dale Page

That Condition No.55 (now Condition No. 52) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Condition 55 is unnecessary as it is already covered by Conditions 16 and 17.

AMENDING MOTION 6

Moved by: Karen Hyde

Seconded by: Dale Page

These amendments were made en bloc:

- i) That Condition No. 58 (now Condition No. 54) be deleted and the remaining conditions be renumbered accordingly.
- ii) That Advice Note No. AN8 be added to read as follows:

With the exception of those traffic management measures required to be undertaken as per conditions of this approval, any other works within the road reserves are not approved. and require separate approval from the Town and/or Main Roads WA (as relevant).

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The condition is informative and relates to approval by a third party. It is more suitable as an Advice Note.

AMENDING MOTION 7

Moved by: Karen Hyde

Seconded by: Dale Page

That Condition No.61 (now Condition No. 57) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Condition 61 is unnecessary as it is a duplicate of Condition 13 as amended.

Karen Hyde
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REPORT RECOMMENDATION (AS AMENDED)

That the Metro Inner Development Assessment Panel approve DAP/24/02746 for Proposed Shops (including Supermarket), Restaurant(s)/Cafe(s) and Child Care Premises at Nos. 1022-1032 Albany Highway and Nos. 355-357 Shepperton Road (Lots 1, 8, 30, 131, 132, 480, 481, 488 and 502), East Victoria Park, subject to the following conditions and advice notes –

Legal

1. Prior to the issuing of an occupancy permit, the subject lots (Lots 1, 8, 30, 131, 132, 480, 481, 488 and 502) are to be amalgamated into a single lot on a Certificate of Title.
2. Prior to the issuing of an occupancy permit, a circa 524m² portion of the subject site shall be ceded to the Crown as a public road to provide vehicle access between Shepperton Road and that portion of ROW 54 known as Lot 501.
3. Prior to occupancy, an easement is to be registered in favour of the Town over that part of the site occupied by the Town's relocated stormwater pipes which enables access to the relocated stormwater pipes by the Town and its contractors at all reasonable times in perpetuity.

Vehicle access

4. Access to Albany Highway to be restricted to left in and left out only. The applicant/owner is to submit detailed design drawings of the proposed measures to be implemented to restrict vehicle access to Albany Highway to left-in and left out only, which shall generally be in accordance with the concept sketch at Figure 16 of the Transport Impact Assessment report dated 5 June 2025. The approved access restriction measures are to be implemented to the Town's satisfaction prior to occupancy. The applicant/owner is responsible for all costs associated with the design and implementation of the approved access restriction measures.
5. The existing on-street parking bays on Albany Highway adjacent to the development site are to be removed and converted to an extended lane for vehicle movement to the east to the satisfaction of the Town, prior to occupancy of the development. The applicant/owner is responsible for all costs associated with implementing this.
6. The existing right turn pocket on the Albany Highway (west leg) approaching the Shepperton Road/Welshpool Road intersection is to be extended to the satisfaction of the Town, with detailed design drawings being submitted for the Town's approval and the approved design being implemented prior to occupancy of the development. The applicant/owner is responsible for all costs associated with design and implementation.

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7. The proposed new access road linking Shepperton Road to ROW 54, as required by condition 2, is to be constructed to the satisfaction of the Town prior to the removal of the existing access from Shepperton Road to ROW 54 over Lot 502. Detailed design drawings are to be submitted for the Town's approval with the applicant/owner being responsible for all costs associated with design and implementation.
8. New line marking is to be installed on the section of Oats Street between Albany Highway and Shepperton Road so that there are two marked lanes in each direction, or other suitable arrangement, to the satisfaction of the Town. Detailed design drawings are to be submitted for the Town's approval and the approved design is to be implemented prior to occupancy of the development. The applicant/owner is responsible for all costs associated with design and implementation.
9. Prior to occupancy, a Service Delivery Management Plan is to be submitted and approved by the Town which includes details of deliveries to and from the site, including hours of deliveries, access movements in and around the site, and service vehicle access routes to and from the site. The approved Service Delivery Management Plan shall:
 - Restrict articulated vehicles to arriving on-site between the hours of 9pm to 7am.
 - Restrict articulated vehicles to entering the site via a right-turn from Oats Street into ROW 54, with delivery routes and schedules arranged accordingly.
 - Restrict use of the Shepperton Road access as per condition 12.

Main Roads conditions

10. Prior to the issue of a building permit, the applicant must undertake a 15% concept design for the proposed left-in / left-out (LILO) access and left-turn pocket on Shepperton Road to Main roads requirements.
11. Prior to occupation of the development, the applicant must undertake works as required by condition 10 to Main Roads requirements to restrict Shepperton Road access to left in left out traffic movements only and ensure vehicles can turn safely to and from Shepperton Road. All works shall be at the applicant's cost.
12. The crossover to Shepperton Road is limited to the below at all times:
 - Left-in movement from Shepperton shall be restricted for vehicles up to 12.5 min length and
 - Left-out movements to Shepperton Road for vehicles up to 15.0m in length.
13. Prior to occupation of the development, any redundant vehicle crossover is to be removed and kerbing, verge, and footpath (where relevant) reinstated with landscaping to the satisfaction of the Town of Victoria Park.
14. All waste collection is to be onsite.

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15. This noise sensitive development adjacent to a major transport corridor must implement measures to ameliorate the impact of transport noise. The development is to comply and implement the '*Noise Management Plan for Proposed Childcare Centre – Woolworths Group*', Revision 2, date 13/02/2025 prepared by Herring Storer Acoustics and must be implemented at all times.
16. Prior to occupation of the development, certification from a qualified acoustic consultant being submitted, confirming that the recommendations of the amended acoustic report (per the above condition 15) have been implemented is to be provided to the Town of Victoria Park.
17. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the Certificate(s) of Title of the proposed development. The notification is to state: "*The lots are situated in the vicinity of a transport corridor and are currently affected, or may in the future be affected by transport noise.*"
18. All signs must be placed on private property and must not overhang or encroach the Primary Regional Road Reservation.
19. Any proposed illumination of the sign must not exceed 300 cd/m² (candela per square metre) between sunset and sunrise and 150 cd/m² during the night.
20. The sign must not flash, pulsate or chase.
21. The device must not contain fluorescent, reflective or retro-reflective colours or materials.
22. Vegetation within the state road reserve shall not be removed or trimmed to improve the visibility of the proposed advertising sign.
23. No works are permitted within the Shepperton Road Reservation unless Main Roads has issued a Working on Roads Permit.
24. Stormwater shall not be discharged to the Shepperton Road Reserve or the widened road reservation.
25. Prior to the issue of a building permit, the landscaping plan is to be approved to Main Roads requirements for any temporary landscaping located within the Primary Regional Road Reserve (PRRR). Landscaping must not create a safety issue by limiting sightlines to or from side roads for all road users.
26. No structural encroachment (e.g. building anchors, car parks, basements etc) below ground level is permitted within the PRRR.

Parking

27. For the life of the development and to the satisfaction of the Town, all parking within the undercroft and basement car parks is to be available for use by the public at all times that the development is open for business.

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28. Prior to occupancy, an easement in gross is to be registered over that section of the site occupied by the external car bays and associated access so as to ensure public access to these bays at all times.
29. Prior to the occupation or use of the development, all car parking spaces together with their access aisles to be clearly paved, sealed, marked and drained in accordance with AS2890.1 and thereafter maintained to the satisfaction of the Town. The on-site parking provision is to include –
 - (c) A minimum of 1 ACROD bay for every 20 on-site car bays; and
 - (d) A minimum of 5 short-term parking bays being designated for the exclusive use of the child care centre.
30. Bicycle facilities for a minimum of 35 bikes, unless otherwise approved, are to be provided on-site in accordance with Australian Standard AS 2890.3 and to the satisfaction of the Town. This is to include bicycle facilities within close proximity of the entrance to the childcare centre. The bicycle parking facilities shall be installed and remain in place permanently unless otherwise approved by the Town.
31. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Town details of the proposed Electric Vehicle charging infrastructure.
32. Prior to the occupation or strata-titling of the building(s), whichever occurs first, Electric Vehicle charging infrastructure as per the approved details being implemented to the satisfaction of the Town.
33. Prior to occupancy a detailed parking management plan is to be submitted and approved by the Town of Victoria Park, including details of:
 - a. How alternate modes of transport will be encouraged and incentivised by the site operators, effective from the development first being occupied.
 - b. The allocation of car bays to staff and any measures to minimise the use of the on-site car bays by staff.
 - c. Measures to prevent the long-term occupation of the on-site car bays by members of the public.
 - d. Drop off and pick up bays for the child care use including any time restrictions on the use of the bays for drop off or pick up purposes.
 - e. Strategies to be employed to manage parking demand created by the site; and
 - f. Maintenance and management details for the end of trip facilities.

The parking management plan is to thereafter be implemented to the satisfaction of the Town.

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34. Any letterbox, structure, wall or fence located within a 1.5 metre x 1.5 metre visual truncation at the intersection of any driveway and the front property boundary, is not to exceed a height of 750mm with the exception of:
- (i) one brick pier (maximum dimensions 350mm by 350mm); and/or
 - (ii) wrought iron or similar metal tubing style infill fencing.

Landscaping

35. Prior to the submission of an application for a building permit, the applicant is to submit a final detailed landscaping plan for the Town's approval which shall include the following to the Town's satisfaction –
- Resolving inconsistencies in the drawings regarding tree removal and retention within the site and adjacent street verges
 - Clarifying the boundary location and which trees are on the private property and which are within the verge
 - Verge trees to be a maximum size of 100 litres.
 - Planting of a minimum of 25 new trees on the site.
 - A detailed playscape plan for the childcare centre including ground treatments and fall zones.
 - Proposed tree species, the depth and width of structural root zones and tree protection zones.

The landscaping plan shall include at least 25 new on-site tree(s), or a lesser number agreed to by the Town, the species and height of which are to be provided to the satisfaction of the Town.

The landscaping areas shown on the approved final detailed landscaping plan shall be installed and reticulated prior to occupation of the development, and be thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town.

36. Existing trees located within the verge are a Town asset and as such must be retained except where otherwise approved for removal by the Town.
37. The Town's street tree(s) are to be protected from damage during all phases of development. Pruning of any street tree affected by the development on the subject site is to be undertaken by the Town, at the owner/applicant's cost.

Other matters

38. Prior to the submission of an application for a building permit, the plans being amended to incorporate the following to the satisfaction of the Town –
- Relocating the public footpath along Shepperton Road to the lot boundary.
 - Deleting the on-site footpath providing access to the bin store area and including landscaping within this space.
 - The blank wall on the elevation facing ROW 54 being architecturally treated or to include public art.

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39. The number of children and staff attending the Child Care Premises is limited to a maximum of 94 children and 20 staff at any one time.
40. All windows and doors to street frontages are to be provided with clear glazing, and are not to be subsequently obscured by alternative window treatments, signage or internal shelves, to the satisfaction of the Town.
41. Prior to lodging an application for building permit, the applicant/owner is to contribute the sum of 1.0% of the value of the total construction value towards public art. (Refer to related Advice Note)
42. Prior to the submission of a building permit application, the applicant submitting a Green Star Buildings Designed assessment report (pre-certification) prepared by a suitably qualified independent consultant, demonstrating to the satisfaction of the Town that the building design will achieve a minimum 5 star Green Star rating (or recognised equivalent).
43. Prior to occupancy, the applicant submitting a report prepared by a suitably qualified independent consultant, providing as-built certification to the satisfaction of the Town confirming that a minimum 5 star Green Star rating (or recognised equivalent) has been achieved.
44. Prior to occupation of the development, a signage strategy for future tenant and wayfinding signage is to be submitted for the Town's approval.
45. The pylon sign to Shepperton Road is not approved as part of this application.
46. The sign labelled 'S03' on the south elevation being amended to delete the Parking and Direct-to-Boot direction signs.
47. Complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings are to be provided to the satisfaction of the Town prior to submission of an application for building permit. The development shall be constructed in accordance with the approved details and shall be thereafter maintained.
48. Prior to lodging an application for a building permit, a plan shall be submitted detailing the location of all external lighting, to the satisfaction of the Town. The lighting plan and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.
49. All plant equipment, air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas etc must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Town prior to the submission of an application for a building permit.

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50. The existing Town stormwater infrastructure traversing the site being diverted at the owner's cost, generally in accordance with the design outlined in the Pritchard Francis drawings dated received 31 March 2025, to the satisfaction of the Town.
51. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Town, and thereafter implement to the satisfaction of the Town, a Construction Management Plan.
52. An updated Waste Management Plan is to be submitted reflecting waste vehicle access entering from Oats Street via ROW 54 and exiting via Shepperton Road, for approval by the Town prior to occupancy. The amended approved Waste Management Plan is to be implemented and complied with for the life of the development.
53. At all times provision must be made onsite for the storage and collection of garbage and other solid waste. A waste storage and collection area must be graded, drained and screened from public view, and the garbage collected regularly, to the satisfaction of the Town.
54. With the exception of awnings over the footpath to the Albany Highway frontage, all building works to be carried out under this development approval are required to be contained within the boundaries of that part of the lot the subject of this development application.
55. Prior to lodging an application for a building permit, stormwater disposal plans, details and calculations must be submitted for approval by the Town and thereafter implemented, constructed and maintained to the satisfaction of the Town.
56. To address the conditions of this approval, prior to the submission of an application for a building permit a covering letter (detailing compliance with each condition), copy of the final working drawings and relevant associated reports and information, are to be submitted by the applicant for clearance by the Town.
57. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
58. The approval also being an approval under clause 48 of the Metropolitan Region Scheme.
59. The development, once commenced, is to be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town.

Karen Hyde
Presiding Member, Metro Inner DAP



Town's Advice Notes

- AN1 Estimated Helliwell valuation for removal of street trees is \$34,995.96.
- AN2 An amended Waste Management Plan is necessary to address an inconsistency between the TIA and WMP regarding waste vehicle access.
- AN3 In regard to a public art contribution, the contribution being either:
- a) Payment directly to the Town which will be placed in the Town's Community Art Reserve with the funds being used by the Town to provide public art within the same Town Planning Scheme Precinct; or
 - b) The owner/applicant is to provide public art on the development site in accordance with the procedures outlined in the Town's Developers Public Art Handbook, which includes the submission of details for approval by Council. The public art is to be completed and installed to the satisfaction of the Town prior to the occupation of the development. The public art is to be maintained thereafter by the owner/occupiers.
- AN4 With respect to a Construction Management Plan, it is to address the following matters:
- a) How materials and equipment will be delivered and removed from the site;
 - b) How materials and equipment will be stored on the site;
 - c) Parking arrangements for contractors;
 - d) Construction waste disposal strategy and location of waste disposal bins;
 - e) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
 - f) How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works;
 - g) Construction traffic and pedestrian management; and
 - h) Other matters likely to impact on the surrounding properties.
- AN5 A building permit is required to be obtained from the Town prior to commencement of any work in relation to this development approval.
- AN6 Crossover location and construction shall comply with the Town's Specifications for Crossover Construction. A separate application must be made to the Town's Street Improvement Unit for approval prior to construction of a new crossover.
- AN7 It is recommended that the required Service Delivery Management Plan be prepared in consultation with the Town and other landowners along ROW54.
- AN8 With the exception of those traffic management measures required to be undertaken as per conditions of this approval, any other works within the road reserves are not approved and require separate approval from the Town and/or Main Roads WA (as relevant).

Karen Hyde
Presiding Member, Metro Inner DAP



Main Roads Advice Notes

- a) Condition 1 (15% Concept Design drawings) is required to meet MRWA Drawing Presentation requirements as per the MRWA formal RTE Design Review Process given this is a proposed access and slip lane on an MRWA Asset road (website link below):

<https://www.mainroads.wa.gov.au/49a9cc/globalassets/technicalcommercial/technical-library/road-and-traffic-engineering/typical-projectprocesses/design-and-drawing-presentation/drawing-presentation-guidelines.pdf>

See table 1 for further details to assist preparation of the 15% design.

- b) Main Roads approval for signage and pavement marking modifications is required under the Road Traffic Code 2000. The proposed 'Keep Clear' at the Access 2 for the development (via Albany Highway) will be separate approval process by the MRWA Traffic Management Services.
- c) Works within the Shepparton Road Reserve is subject to a separate approval process under Main Roads Act 1930.
- d) Main Roads is the relevant authority to approve signage on and / or visible from a state-controlled road. A further approval maybe required from for the proposed signage. Under Main Roads (Control of Advertisements) Regulations 1996.
- e) The upgrading/widening of Shepparton Road is not in Main Roads current 4-yearforward estimated construction program and all projects not listed are subject to change.

The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.

Karen Hyde
Presiding Member, Metro Inner DAP



REASON: The proposal included 'P' uses restaurant, café and shop and 'A' use childcare (the application had been adequately advertised for public comments) and the panel regarded the land use mix, height and scale to be appropriate for the location in the District Centre and within a constrained site along the Albany Highway Urban Corridor. The panel noted that the majority of public submissions supported the proposal. The concerns about land use, parking and traffic generation raised in some of the submissions received during consultation on the application are noted. However, the land uses proposed are well suited to the location of the site, within an existing shopping precinct; the parking analysis demonstrates that the 235 parking bays to be provided will cater for the parking demand; and the extensive traffic analysis and review that has been done concludes that the proposal will generally have limited impact on the overall operation of the road network. Any impacts on the road network immediately adjacent to the development will be managed via intersection and other road improvements that have been included as conditions of approval. The design of the proposal is high quality and supported by the Town's Design Review Panel; and the Town's report demonstrates alignment with the 10 design principles of SPP 7.0. The assessment and reporting on adherence to the Town's planning scheme and relevant planning policies shows that the proposal meets the objectives of the underlying State and Local Government planning framework and where deviations from specific standards occur, these are well justified, considering the specific nature and location of the development proposal. The panel made some minor amendments to conditions to provide clarity and avoid duplication. The panel were unanimous in support of the application conditional approval.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Karen Hyde
Presiding Member, Metro Inner DAP



PART D – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

| Current SAT Applications | | | | |
|----------------------------|---------------------|--|--|-------------|
| File No. & SAT DR No. | LG Name | Property Location | Application Description | Date Lodged |
| DAP/22/02317 DR81/2023 | City of Vincent | 41-43 and 45 Angove Street, North Perth | Proposed Service Station | 31/05/2023 |
| DAP/20/01911 DR192/2024 | Town of Cambridge | Lot 800 (29-33) Northwood Street, West Leederville | Three storey care premises and associated office | 16/12/2024 |
| DAP/24/02786 DR/41/2025 | City of South Perth | Lots 1 and 2 (No.13 and 13a) Stone Street, South Perth | Eight Multiple Dwellings | 08/04/2025 |
| DAP/24/02794 DR 42/2025 | City of South Perth | Lot 31 (No. 97) South Perth Esplanade, South Perth | Proposed 7 Multiple Dwellings | 09/04/2025 |
| DAP/24/02799 DR 44/2025 | City of Nedlands | Lot No 348 (111) Waratah Avenue, Dalkeith | 5 Grouped Dwelling Development | 15/04/2025 |

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:46am.

Karen Hyde
Presiding Member, Metro Inner DAP