

Part 11B-2 Delegated Decision Summary

Amendment Title	Part 11B Development Application – Murdoch Car Park, Proposed amendment to condition 20		
Amendment Summary	Amendment to condition 20 relating to the level of sustainability measures needed to achieve Australian Best Practice standard		
Development Application Address	Lot 120 (No. 55) Barry Marshall Parade and portion of Lot 121 (No. 5) Fiona Wood Drive, Murdoch		
SDAU File Reference	SD-044-25-2.1	Delegated Decision	Approved
Delegated Officer Title	Chairperson, Western Australian Planning Commission	Delegated Decision Date	10 April 2026
		Determination Notice Issued	21 April 2026
Determination Notice, Approved Amended Plans and/or Supporting Documents		Determination Notice Approved Sustainability Report	

BACKGROUND

On 24 September 2025, the Western Australian Planning Commission conditionally approved a Part 11B development application to construct a multi-storey car park and ground floor commercial tenancy under Part 11B of the *Planning and Development Act 2005* (PD Act).

Several conditions of the initial approval have been cleared and forward construction works have since commenced. Following completion of detailed engineering design and construction specifications, the applicant is seeking modifications to the sustainability measures to be incorporated into the development. A formal amendment application was required due to the applicant's request for flexibility in a number of the conditions, including condition 20 relating to sustainability, not being supported at the determination meeting.

DETAILS

On 20 February 2026, an application was accepted by the Department of Planning, Lands and Heritage seeking to amend the approved development. The application proposes an amendment to condition 20 to modify the sustainability measures that need to be included in the development. The proposal changes from 'Australian Excellence Green Star' to 'measures that will be rated higher than the minimum requirement for 'Australian Best Practice'.

The key considerations identified in assessing this application are as follows:

- The proposed amendment relates specifically to condition 20 and the approved level of sustainability measures;
- It would not alter the appearance, or increase the scale, number of parking bays or size of the commercial tenancy of the approved development;
- The changes only relate to the type of concrete to standard construction and no mechanical ventilation being brought into the building. The base-build will continue to include low carbon material selection (except concrete), LED lighting, acoustic comfort, daylight access and pollutant control with the expectation that the tenant will include end-of-trip facilities.
- The proposed amendment is considered minor and would not substantially affect the original assessment of the proposal other than the sustainability aspects of the proposal;
- There have been no changes to the broader site context or planning framework that alter the zoning or built form requirements applicable to the site since approval was granted;
- The proposed amendment in isolation does not conflict with the provisions of the applicable planning instrument under s.171R of the PD Act; and
- The proposed amendment in isolation is capable of being determined under the existing planning framework without exercising discretion and can be considered under s.171X of the PD Act.

The City of Melville advised it supports the proposed amendment to condition 20 and provided recommended wording for the amended condition.

The proposed change necessitated further assessment of the proposal, particularly in consideration of the Local Planning Policy 4.4 - Murdoch Health and Knowledge Precinct provisions. The application for amendment to the approved development at the site is in accordance with the relevant considerations of Part 11B of the PD Act. Conditional approval is recommended, subject to amending condition 20 as outlined above with an advice note to encourage the applicant to pursue the higher standard and ensure all other existing conditions and advice notes remain in effect.

APPROVED MODIFIED CONDITIONS

The following conditions of the of the Western Australian Planning Commission's approval dated 24 September 2025 (SD-044-25) and the associated advice notes are amended to read:

Conditions

20. (a) *Prior to the submission of the relevant building permit application, written confirmation is to be provided from a suitably qualified professional confirming all the sustainability measures identified in the Sustainability Report dated 5 September 2025 (Rev C03) have been incorporated in the final drawings and documents, to the satisfaction of the Western Australian Planning Commission.*
- (b) *Prior to occupation of the development, documentation from a suitably qualified professional is to be provided certifying that the sustainability measures within the approved Sustainability Report dated 5 September 2025 (Rev C03) have been implemented, to the satisfaction of the Western Australian Planning Commission.*

Advice Notes:

- P. With regard to Condition 20, the applicant is encouraged to incorporate sustainability measures at the highest level practicable to achieve (or close to) the Australian Excellence 5 Star Green Star rating.*

General Advice

All other conditions of the development approval dated 24 September 2025 remain applicable to this development.