

Part 11B-2.2 Delegated Decision Summary

Amendment Title	Part 11B Development Application - Proposed amendments to approved Student Accommodation Facility and Commercial Tenancy		
Amendment Summary	The amendment includes the following: - Levels 1 to 17: Modifications to the floor plate and building envelope; changes to façade colours and materials; - Levels 2 to 16: Modifications to bed type compositions (no changes to approved bed numbers); - Level 18: Modifications to tower envelope location and floor plate; - Roof: Tower lowered by 400 mm; - Landscaping: Increased ground floor treatments, including new strip along eastern boundary resulting from proposed removal of pedestrian accessway; reduction of on-structure landscaping; and - Deletion of condition 22(b), which requires an easement for public access along the eastern boundary of the site.		
Development Application Address	Lots 585-588 (No. 37-43) Stirling Highway, Nedlands		
SDAU File Reference	SD-002-24-2.2	Delegated Decision	Approved
Delegated Officer Title	Chairperson, Western Australian Planning Commission	Delegated Decision Date	10 August 2026
		Determination Notice Issued	11 August 2026
Determination Notice, Approved Amended Plans and/or Supporting Documents		Determination Notice Approved development plans	

BACKGROUND

On 7 May 2025, the Western Australian Planning Commission conditionally approved an application (ref: SD-002-24) to construct a 19-storey purpose-built student accommodation building comprising 446 bedrooms, 11 on-site car bays, 162 bicycle spaces, ancillary café and commercial (retail shop) tenancy on the site under Part 11B of the *Planning and Development Act 2005* (PD Act).

An earlier amendment application (ref: SD-002-24-2.1) was approved under delegated authority on 23 March 2026 for minor amendments relating to the basement and ground floors. The amendment did not propose any changes to any floors above the ground floor and did not alter the number of approved car parking or bicycle bays.

DETAILS

On 28 April 2026, a second amendment application was accepted by the Department of Planning, Lands and Heritage (Department) to amend the approval under s.171X of the PD Act, and this application is the subject of this report. The application sought to amend the existing approval with regard to minor detailed design updates for levels 1 and above, as well as seeking the deletion of Condition 22(b) to support improved landscaping and amenity outcomes along the eastern boundary of the site (as detailed above).

Matters raised during consultation related to concerns regarding the extent of the amendments, changes to visual appearance, potential noise and visual impacts of the wind turbines and removal of the easement and pedestrian access.

The City of Nedlands raised concerns regarding the changes in façade materials and colours and the potential visual and acoustic impacts of the wind turbines. No objections were made regarding the removal of the easement and pedestrian access.

On 3 July 2026 following stakeholder feedback, the applicant removed the wind turbines that had formed part of the amendment application, and this aspect has not been further considered in this assessment.

The key findings of the Department's Delegated Authority (DAUT) Report were:

- The proposed amendments do not increase the scale of the approved development or alter the number of dwellings, cars or bicycle bays;
- The proposed amendments in isolation do not increase any impacts on the locality;
- 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 amendments do not conflict with the provisions of the applicable planning instrument under s.171R of the PD Act; and
- The proposed amendments are capable of being determined under the existing planning framework without exercising discretion and can be considered under s.171X of the PD Act.

Additionally, the proposed modifications to the approved plans and conditions were considered acceptable and that they would not substantially change the approved development. The amendments primarily relate to refinements to the building envelope, floor plates, façade materials and colours, landscaping, and the removal of the requirement for a formal public pedestrian access easement along the eastern boundary. The proposal does not increase the approved height, student accommodation yield, car or bicycle parking provision, and will not result in greater impacts on the locality than those previously considered and approved.

APPROVED MODIFIED CONDITIONS

The following conditions of the of the Western Australian Planning Commission's approval dated 7 May 2025 (SD-002-24-2) and the associated advice notes are amended to read:

Conditions:

2. *The development is to be undertaken in accordance with the approved plans (date stamped 3 July 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Nedlands and Main Roads WA.*
22. *Prior to the occupation of the development, the following public access easements shall be established at the owner/developer's expense and lodged with the Registrar of Titles for endorsement to the satisfaction of the Western Australian Planning Commission for the following:*
 - (a) *An easement created over Lots 585, 586, 587 and 588 of Plan 2338 for the purpose of providing public vehicle and pedestrian access, to provide sufficient allocation for the passing bays as depicted on the approved development plan; and*
 - (b) *Deleted (SD-002-24-2.2).*

Advice Notes:

- (n) *With regard to Condition 17, the applicant is to incorporate large trees into the deep soil zones and/or on-structure planting in the detailed landscaping design unless otherwise appropriately demonstrated.*
- (o) *All other conditions of the development approval dated 7 May 2025 and 20 March 2026 remain applicable to this development.*

REASONS FOR DECISION

The decision by the delegated officer to approve the amendment application has considered the assessment and details in the Department report and has been supported for the following reasons:

- Noting the applicant, in response to community and stakeholder submissions (including the Town of Nedlands), removed the wind turbines and has reverted to PV solar panels, resolving design and visual impact concerns;
- The removal of the pedestrian access is balanced by the additional landscape and deep soil planting zones on the ground floor, with pedestrian access to Hibbertia Lane retained informally through the central pedestrian plaza;
- Support for the new Advice Note relating to Condition 17 requiring the reinstatement of the on-structure planting as this enhances the external appearance of the building;

- The modifications to the approved plans and conditions are acceptable. They do not substantially change the approved development, overall result in the same, or reduced, impact on the locality and do not conflict with the provisions of the applicable planning instruments.