



Metro Inner Development Assessment Panel Agenda

Meeting Date and Time: Wednesday, 11 March 2026; 9:30am
Meeting Number: MIDAP/123
Meeting Venue: 140 William Street, Perth

A live stream will be available at the time of the meeting, via the following link:
[MIDAP/123 - 11 March 2026 - City of South Perth](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Noting of Minutes

PART B – CITY OF SOUTH PERTH

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Lots 3, 29, 20 & 31 (No. 50, 50A, 51 & 52) Melville Parade, South Perth - 27 Storey Mixed Use Development - Extension of Time – DAP/17/01288
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

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

Please note, presentations for each item will be invited prior to the items noted on the agenda and the presentation details will be contained within the related information documentation



DAP Members
Clayton Higham (Presiding Member)
Dale Page (Deputy Presiding Member)
Francesca Lefante
Cr Bronwyn Waugh (Part B – City of South Perth)
Cr Kathy Lees (Part B – City of South Perth)

DAP Secretariat
Kristen Gray
Ashlee Kelly



PART A – INTRODUCTION

- 1. Opening of Meeting, Welcome and Acknowledgement**
- 2. Apologies**
- 3. Noting of Minutes**



PART B – CITY OF SOUTH PERTH

1. Declarations of Due Consideration

2. Disclosure of Interests

3. Form 1 DAP Applications

Nil.

4. Form 2 DAP Applications

4.1 Lots 3, 29, 20 & 31 (No. 50, 50A, 51 & 52) Melville Parade, South Perth -
27 Storey Mixed Use Development - Extension of Time – DAP/17/01288

5. Section 31 SAT Reconsiderations

Nil.

**Part B – Item 4.1 - LOTS 3, 29, 30, & 31 (NO. 50, 50A, 51, & 52)
MELVILLE PARADE, SOUTH PERTH – AMENDMENT TO
DEVELOPMENT APPROVAL (EXTENSION OF TIME)**

**Form 2 – Responsible Authority Report
(Regulation 17)**

DAP Name:	Metro Inner DAP
Local Government Area:	City of South Perth
Proposed Amendments:	Extension of Time
Applicant:	Space Collective Architects
Owner:	NL Homes Melville PTY LTD
Value of Amendment:	\$85 million (original application cost)
Responsible Authority:	Local Government
Authorising Officer:	Fiona Mullen (A/Director Development & Community Services) Steven DePiazzi (Senior Urban Planner)
LG Reference:	PDDAAMEND-2025/3156
DAP File No:	DAP/17/01288
Date of Original DAP decision:	27 November 2019
Application Received Date:	4 December 2025
Application Statutory Process Timeframe:	90 days
Attachment(s):	1. Development Approval 2. Site aerial plan 3. Cover letter 4. Further information (action and timeline)

Responsible Authority Recommendation

That the Metro Inner DAP resolves to:

- Accept** that the DAP Application reference DAP/17/01288 as detailed on the DAP Form 2 dated 19 November 2025 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
- Approve** DAP Application reference DAP/17/01288 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of South Perth Local Planning Scheme No. 7, for the proposed minor amendment to the approved 26 Level Mixed Development at Lots 3, 29, 30, & 31, No. 50, 50A, 51, & 52 Melville Parade, South Perth, subject to the following conditions:

Amended Condition

- If the development the subject of this approval is not substantially commenced within a period of six years after the date of determination, the approval will lapse and be of no further effect. Where an approval has so lapsed no development must be carried out without the further approval of the local government having first been sought and obtained.

Advice Notes

1. The current date for substantial commencement of this development is 27 November 2027, being six years from the initial approval, with an additional two years granted through the April 2020 clause 78H notice of exemption.
2. The Public Transport Authority (PTA) advises that as the development is less than 100 metres from the railway corridor, the development is within the PTA Protection Zone. The landowner/applicant may be required to submit an application and receive approval from the Public Transport Authority for works in and around the PTA rail corridor, assets and infrastructure, in accordance with PTA procedures. For more information with regards to the landowner's/applicant's responsibilities, or to submit an abovementioned application, please email PTAthirdpartyaccess@pta.wa.gov.au.
3. The Public Transport Authority advises that the development is located in close proximity to the Perth-Mandurah Railway corridor, and that crane booms are not permitted to overhang the operating railway corridor.

All other conditions and requirements detailed on the original approval dated 27 November 2019 (as amended) shall remain unless altered by this application.

Details:

Region Scheme:	Metropolitan Region Scheme
Region Scheme Zone/Reserve:	Urban
Local Planning Scheme:	City of South Perth Local Planning Scheme No. 7
Local Planning Scheme Zone/Reserve:	Centre
Structure Plan/Precinct Plan:	South Perth Activity Centre Plan
Structure Plan/Precinct Plan Land Use Designation:	Richardson Character Area
Use Class and permissibility: (based on ACR2 Table 1)	Multiple Dwellings – P Medical Centre – Not listed Recreation - private – 'A' Restaurant/café – P Tourist and Visitor Accommodation – D
Lot Size:	2,094m ²
Net Lettable Area (NLA):	2,410m ²
Number of Dwellings:	104
Existing Land Use:	Office
State Heritage Register:	No
Local Heritage:	☒ N/A ☐ Heritage List ☐ Heritage Area
Design Review:	☒ N/A ☐ Local Design Review Panel ☐ State Design Review Panel ☐ Other
Bushfire Prone Area:	No
Swan River Trust Area:	No

Proposal:

The proposal is to amend the approval to extend the period within which any development approved must be substantially commenced by two years. This would result in the date for substantial commencement being extended from 27 November 2025 to 27 November 2027. No amendments are proposed to the approved plans or conditions.

Background:

Approval history

A summary of the determinations relating to this application is provided below:

- 26/06/2018 – A DAP application for a 31-storey Mixed Use development was refused by the Metro Central JDAP.
- 27/11/2019 – The Metro Central JDAP reconsidered its decision under section 31 of the *State Administrative Tribunal Act 2004* and determined to approve the application, which was amended to a 26-storey Mixed Use development.

A copy of the original development approval is provided in **Attachment 1**.

Site Context

The subject site is designated as a Centre Zone (R-AC0) under the City of South Perth Local Planning Scheme No. 7 and is located within the Richardson character area of the South Perth Activity Centre Plan.

The Richardson character area contains a mix of building styles and land uses, with future is envisioned to enhance the diverse character of the area, building upon the intricacy of its urban fabric.

The existing development on site includes three separate office buildings (single and double storey in height), all of which are proposed to be demolished to facilitate the proposed development. The site has direct frontage to both Melville Parade and Bowman Street and is located directly opposite the Kwinana Freeway.

The properties surrounding the site are residential in nature; an aerial image of the site and its immediate surrounds is provided in **Attachment 2**.

Legislation

Planning and Development Act 2005

Planning and Development (Development Assessment Panels) Regulations 2011

Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development (Planning Codes) Regulations 2024

Planning and Development (State Planning Policies) Regulations 2024

Metropolitan Region Scheme (MRS)

City of South Perth Local Planning Scheme No. 7 (LPS 7)

Residential Design Codes – Volume 2 (R-Codes)

State Government Policies

State Planning Policy 5.4 – Road and Rail Noise (SPP 5.4)
State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0)

Structure Plans/Activity Centre Plans

South Perth Activity Centre Plan (SPACP)

Local Policies

Local Planning Policy 3.1 – Waste Management
Local Planning Policy 3.2 – Tree Retention
Local Planning Policy 6.1 – Advertising of Planning Proposals
Local Planning Policy 6.2 – Design Review Policy
Local Planning Policy 6.3 – Public Art

Consultation:

Public Consultation

Consultation was undertaken to the extent and in the manner required by the Deemed Provisions and LPP 6.1 - Advertising of Planning Proposals from 19 December 2025 to 9 January 2026, with 84 letters being sent. No responses were received.

Referrals/Consultation with Government/Service Agencies

The proposal was referred to the Public Transport Authority (PTA) as the development is located within 100m of the Mandurah Rail Line. The PTA advised that it has no objections to the proposed extension of time, however requested that if approved, the following advice be included on the determination:

- 1 *The Public Transport Authority (PTA) advises that as the development is less than 100 metres from the railway corridor, the development is within the PTA Protection Zone. The landowner/applicant may be required to submit an application, and receive approval from the Public Transport Authority for works in and around the PTA rail corridor, assets and infrastructure, in accordance with PTA procedures. For more information with regards to the landowner's/applicant's responsibilities, or to submit an abovementioned application, please email PTAthirdpartyaccess@pta.wa.gov.au.*
- 2 *The Public Transport Authority advises that the development is located in close proximity to the Perth-Mandurah Railway corridor, and that crane booms are not permitted to overhang the operating railway corridor.*

The above advice has been included in the City's recommendation.

Design Review Panel Advice

This proposal relates to an amendment of the approval timeframe only and therefore referral to the DRP was not considered necessary.

Planning Assessment:

The appropriate considerations for proposals to extend the period within which any development approved must be substantially commenced is articulated across numerous decisions made by the State Administrative Tribunal (SAT). Importantly, the SAT has indicated that it is not necessary for all of the considerations to be achieved for the decision maker to be satisfied that an extension of time should be approved. The key considerations and the City's comments are provided below.

1. *Whether the planning framework has changed substantially since the development approval was granted.*

The applicable planning framework has substantially changed since the initial development approval was granted in November 2019. Notable changes include the following:

- Adoption of LPS 7 and associated revocation of the City of South Perth Town Planning Scheme No. 6.
- Adoption of the City of South Perth Activity Centre Plan.
- Incorporation of elements of the South Perth Activity Centre Plan into LPS 7 as Additional Centre Requirements 2 (ARC2).
- Revision of existing and adoption of new Local Planning Policies.

One significant change which has occurred as a result of the above, is the need to achieve 'design excellence' as recommended by the State Design Review Panel (SDRP) for Tier 2 building height under ACR2. In this case, however, whilst the proposal involves Tier 2 building height, the application has not been considered by the SDRP. It is noted that the proposal was considered to represent 'exemplary design' when originally considered by the City of South Perth DRP.

2. *Whether the development would likely receive approval now.*

Whilst there have been substantial changes to the planning framework, it is acknowledged that the broad intent and built form outcomes envisioned for the site have not significantly changed since November 2019.

In this respect, the overall development is still considered to be an appropriate outcome for the site, however if the proposal were to be reconsidered under the current planning framework, there would likely be some adjustments to address more recent requirements, such as waste management and tree retention in accordance with recently adopted Local Planning Policies.

3. *Whether the holder of the development approval has actively and relatively consciously pursued the implementation of the development approval.*

The applicant has indicated that despite a sustained effort and investment in progressing the application, several factors have impacted their ability to deliver the project as outlined in **Attachment 3**, including:

- Industry-wide labour shortages
- Lack of Tier 1 high-rise builders available in WA
- Market uncertainty during and following the COVID-19 pandemic
- Regulatory changes and escalating construction costs

Actions that have been undertaken by the applicant/landowner to progress the development since approval as outlined in **Attachment 4** have included the following:

- Development review and optimisation.
- Engagement of a development manager and marketing agent.
- Approaching various builders for cost benchmarking and delivery unput.

In addition to the above three key considerations, in [2018] WASAT 63, two further considerations were identified:

1. *Whether the time originally limited was in all the circumstances reasonable and adequate taking into account the steps which would be necessary before the construction could actually commence.*

The original development approval was issued shortly before the start of the COVID pandemic in 2020. The pandemic created an exceptionally unique and unpredictable environment resulting in significant issues for the construction industry and long-term impacts on development viability. This was formally acknowledged by the State Government through an automatic two-year extension of time to approvals issued during this period.

2. *As a factor tending against the grant of an extension, any material which suggests that the owner of land is seeking to "warehouse" a permit.*

Despite the difficulties cited above, the applicant has indicated that they remain fully committed to delivering the development, and the extended approval period will provide time to finalise builder procurement, updated documentation, and commence construction.

Recent improvements to market conditions and current actions being undertaken by the applicant/landowner demonstrate a continued intent to progress the development as outlined in **Attachment 4**. Key point include:

- Less volatile construction costs and labour supply.
- Improved contractor appetite.
- Lending rates stabilised.
- Final design and documentation within eight months.
- Construction commencement expected by early-mid 2027.

Conclusion:

Despite changes to the planning framework since its initial approval, the development is considered to still broadly align with the intended nature and built form of development within the Richardson character area of the South Perth Activity Centre.

The applicant has demonstrated that the development has been actively and consciously pursued to date and a clear intention to continue progressing the development to construction in more favourable current market conditions.

On balance, the circumstances of this particular application are considered to warrant approval to the extension of time to enable the significant development to proceed. No changes are proposed to the design of the proposal, so it is not considered necessary

or appropriate to add or amend any conditions other than Condition 1, relating to the approval period.



LG Ref: 11.2017.326
DAP Ref: DAP/17/01288
Enquiries: (08) 6551 9919

State Administrative Tribunal
565 Hay Street
PERTH WA 6000

Dear Sir/Madam

STATE ADMINISTRATIVE TRIBUNAL REVIEW OUTCOME – DR 181/2018

Property Location:	Lots 29-31 (No. 50-52) Melville Parade, South Perth
Application Details:	26 Level (88.9m) Mixed Use Development

Please be advised that the Metro Central Joint Development Assessment Panel reconsidered the above-mentioned development application, SAT ref DR 181/2018, pursuant to section 31 of the *State Administrative Tribunal Act 2004* on 20 November 2019.

The Notice of Determination is attached.

Yours sincerely,

DAP Secretariat

27 November 2019

Encl: Amended DAP Determination Notice

Cc:
NL Homes Melville Pty Ltd

State Solicitor's Office

Mr Brendan Philipps
City of South Perth

Planning Appeals



Planning and Development Act 2005

City of South Perth Town Planning Scheme No.6

Metro Central Joint Development Assessment Panel

Determination on Development Assessment Panel Application for Planning Approval

Property Location: Lots 29-31 (50-52) Melville Parade, South Perth

Application Details: 31 Level (103.1m) Mixed Use Development

Pursuant to section 31 of the *State Administrative Tribunal Act 2004*, the Metro Central JDAP, at its meeting on 20 November 2019, has reconsidered its decision dated 18 June 2018 in respect to the above application, SAT Ref. DR 181/2018 and has resolved to:

Approve DAP Application reference DAP/17/01288 and accompanying plans: 'Basement 02' (A2-01), 'Basement 01' (A2-02), 'Ground Floor Plan' (A2-03), 'Ground Floor Mezzanine' (A2-04), 'Level 01' (A2-05A), 'Level 02' (A2-05B), 'Level 03' (A2-06), 'Level 03 Mezzanine' (A2-07), 'Level 04-14' (A2-08), 'Level 15-22' (A2-09A), 'Level 23' (A2-09B), 'Level 24' (A2-10), 'Level 25' (A2-11), 'West Elevation' (A3-01), 'East Elevation' (A3-02), 'South Elevation' (A3-03), 'North Elevation' (A3-04), 'Ground Floor Landscaping' (C1.101), 'Ground Floor Landscaping Perspective' (C1.101A), 'Levels 1-2 Landscaping' (C1.102), 'Level 3 Landscaping' (C1.103), 'Levels 4-14 Landscaping' (C1.104), 'Levels 15-23 Landscaping' (C1.105), 'Level 24 Landscaping' (C1.106), 'Level 25 Landscaping' (C1.107), dated 10 and 28 October 2019, and 5 November 2019, in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of South Perth Town Planning Scheme No. 6, and clause 24 (1) of the Metropolitan Region Scheme, subject to the following conditions:

Conditions

1. If the development the subject of this approval is not substantially commenced within a period of 4 years after the date of determination, the approval will lapse and be of no further effect. Where an approval has so lapsed no development must be carried out without the further approval of the local government having first been sought and obtained.

Amalgamation

2. Prior to the issue of a building permit application, Lots 29, 30 and 31 (No. 50, 51 and 52) Melville Parade are to be amalgamated on a deposited plan, and an application for a new certificate of title shall be lodged with the Land Titles Office, to the satisfaction of the City.

Alternatively, a legal agreement is to be prepared to ensure that these lots cannot be sold or developed separately. The legal agreement is to be prepared at the owner's expense, and executed prior to the issue of a building permit, to the satisfaction of the City of South Perth.



Land Use

3. Prior to the submission of an occupancy permit application, a comprehensive Guest Studios Management Plan must be submitted to, and approved by, the City of South Perth. The plan should outline matters relevant to the functioning of the guest studios such as the following:
 - i. Duration of stay, number of guests and check in and departure procedures.
 - ii. Control of noise and other disturbances.
 - iii. Complaints management procedure.
 - iv. The use and on-going maintenance of all common property and common facilities.
 - v. Security of guests, residents and visitors.
 - vi. Control of anti-social behaviour and potential conflict between the short-term and long-term residents.
 - vii. Vehicle parking management.

The approved plan must be distributed to nearby landowners and occupiers for information purposes.

4. The Guest Studios Management Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth, to the satisfaction of the City of South Perth.

Pocket Park

5. Prior to the submission of a building permit application, a facilities management plan is to be submitted including details relating to the operation, maintenance and security of the pocket park, in addition to other communal spaces, to the satisfaction of the City of South Perth. The endorsed facilities management plan shall be appropriately incorporated into future strata scheme by-laws.
6. Prior to the submission of a building permit application, the development plans shall clearly designate an access gate and fencing to the pocket park of a visually permeable design and not exceeding 1.8m from ground level, to the satisfaction of the City of South Perth.
7. Prior to applying for subdivision under the Strata Titles Act 1986, the applicant is to grant an easement over the eastern pocket park area, in accordance with Sections 195 and 196 of the Land Administration Act 1997, for the benefit of the City of South Perth for the purposes of public access. The easement document must include a requirement for the Strata Council to maintain the easement area at their own cost, to the satisfaction of the City, and for the easement to be extinguished should the site be redeveloped. Additionally, the easement shall include details relating to the ongoing operation of the security gate / fence, as well as the relationship to the basement levels situated below the pocket park. The easement documentation is to be prepared and registered on the certificate(s) of title of the lots by the applicant at its own expense.



Community Benefit

8. Prior to the submission of an occupancy permit application, a Community Benefits Management Plan shall be developed, for the consulting rooms (allied health centre), indoor sporting activities (restorative health hub), café/restaurant (river view café) and the pocket park, addressing the following matters:
- The hours of public accessibility;
 - The manner that these benefits are made available to the public and South Perth community in perpetuity for the life of the development; and
 - Any other matter deemed relevant by the City.

The Plan shall be submitted to the City of South Perth for approval, be implemented and adhered to all times and shall be distributed to nearby landowners and occupiers for information purposes, to the satisfaction of the City of South Perth.

Restrictive Covenant

9. Prior to the submission of an occupancy permit application, the owner shall register on the Certificate of Title for the lot(s), which shall be carried over on to any future Certificate of Title in the event the development becomes the subject of a Strata Plan, a restrictive covenant, to the benefit of the local government, for all proposed lot(s) that contain a local community benefit or a wider community benefit to satisfy Schedule 9A Table B (Design Consideration 8) of *Town Planning Scheme No. 6*, advising of the existence of a restriction on the use of the land. The restrictive covenant is to state:
- Details of the community benefit;
 - The use of the lot is restricted to the approved community benefit, unless otherwise approved by the local government; and
 - The operation of the approved community benefit is subject to an approved community benefits management plan that shall be implemented and adhered to all times.

Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to be registered at the owner's expense, to the satisfaction of the City of South Perth.

Construction

10. Prior to the submission of a building permit application or a demolition permit application, or the commencement of development, whichever is earlier, a Construction Management Plan must be submitted to, and approved in writing by, the City of South Perth. The approved Plan shall be implemented and adhered to all times during the construction phase, unless otherwise approved by the City of South Perth.

Parking

11. Prior to the submission of an occupancy permit application, a vehicle crossover shall be constructed in accordance with the approved drawings, to the satisfaction of the City of South Perth. The existing verge levels at the front property boundary and verge assets (inclusive of street trees) shall not be altered without prior approval of the City of South Perth.



12. The car parking bays shall be marked on site as indicated on the approved site plan, in order to comply with the requirements of clause 6.3 (10) (c) of Town Planning Scheme No. 6 and such marking shall be subsequently maintained so that the delineation of parking bays remains clearly visible at all times. Hard standing areas approved for the purpose of car parking or vehicle access shall be maintained in good condition at all times. Visitor parking bays shall be permanently marked, maintained and accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or internal driveway, to the satisfaction of the City of South Perth.
13. Prior to the submission of an occupancy permit application, the applicant shall supply certification confirming the constructed design of all car parks, vehicle access-ways and bicycle bays are compliant with Australian Standards AS2890.1 and AS2890.3 and the approved plans, to the satisfaction of the City of South Perth.
14. Prior to the issue of a building permit application, the applicant shall prepare and submit a Parking Management plan for staff, visitors and residents of the building, to the satisfaction of the City of South Perth. The plan should outline how the parking for the proposed development will be managed and identify practical strategies to minimise parking demand and conflict between different users. In particular, the Parking Management Plan shall identify practical solutions to maintain convenient access for vehicle drivers using the vehicle lift, to the satisfaction of the City of South Perth.

Water Management

15. Prior to the submission of a building permit application, the recommendations of the dewatering management plan by Western Environmental (dated 8 November 2019) shall be addressed within the construction management plan, and, following practical completion of the development, endorsed management measures relating to water levels shall be adhered to thereafter, on advice from the Department of Biodiversity, Conservation and Attractions, and to the satisfaction of the City of South Perth.
16. Prior to the submission of a building permit application, a Drainage Plan, must be submitted to, and approved in writing by, the City of South Perth. The approved Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth.
17. Prior to the submission of a building permit application, a Groundwater Management Plan, demonstrating how groundwater will be managed post-development, must be submitted to, and approved in writing by, the City of South Perth, on the advice of the Department of Biodiversity, Conservation and Attractions. The approved Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth, on the advice of the Department of Biodiversity, Conservation and Attractions.



18. Prior to the submission of a building permit application, a Post-Development Stormwater Management Plan for the retention of stormwater drainage within the proposed development site boundary, must be submitted to, and approved in writing by, the City of South Perth, on the advice of the Department of Biodiversity, Conservation and Attractions. Stormwater from all roofed and paved areas shall be collected and contained on site unless special arrangements can be made to the satisfaction of the City of South Perth for controlled discharge into the street draining system. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve. The approved Plan shall be implemented and adhered to all times, unless otherwise approved by the City of South Perth on the advice of the Department of Biodiversity, Conservation and Attractions.
19. Prior to the submission of a building permit application, the applicant shall prepare and submit documentation, to the satisfaction of the City of South Perth, which shows all measures undertaken in the development to address requirements in relation to subsoil water seepage, adequate water proofing and 100 year flood levels, in accordance with Clause 6.9(3) of Town Planning Scheme No. 6. The approved measures shall be implemented, unless otherwise approved by the City of South Perth.

Waste Management

20. The approved Waste Management Plan by Talis Consultants (dated 2 October 2019) shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth, unless otherwise approved by the City of South Perth.

Sustainability

21. The development is to achieve a 5 Star Green Star rating or the equivalent under another formally recognised ecologically sustainable rating system. At the building permit stage, the applicant is to submit a secondary sustainability report confirming the final green star strategy (or equivalent) that will guide the construction stage of the development and beyond; this report shall clearly demonstrate that a 5 Star Green Star rating or equivalent sustainable design rating is to be achieved for the development. Where relevant, elements of the sustainability report and strategy should clearly be reflected in documentation and plans submitted with the building permit application. All sustainable design features proposed in the development shall be implemented.

Public Art

22. Prior to the submission of a building permit application, a public art concept for the subject development or alternatively a contribution to public art within the vicinity of the development, to the value of 1.0% of the construction value shall be submitted to the City of South Perth. The approved public art concept shall be to the satisfaction of the City of South Perth.
23. Prior to the submission of an occupancy permit application, the approved public art concept shall be implemented and maintained thereafter, to the satisfaction of the City of South Perth.



Landscaping

24. Prior to the submission of an occupancy permit application, landscaping areas shall be installed in accordance with the approved landscaping plan by Plan E (ref. 1909201 October 2019). All landscaping areas shall be maintained thereafter to the satisfaction of the City of South Perth.

Liveable Housing Design Guidelines

25. Prior to the submission of a building permit application, certification completed by a Liveable Housing Australia assessor confirming that the detailed design of the 'Liveable Homes' dwellings are compliant with the 'Silver Level' of the 'Liveable Housing Design Guidelines' produced by Liveable Housing Australia, must be submitted to, and approved in writing by, the City of South Perth. Prior to the submission of an occupancy permit application, all required design features shall be installed and operational.

Noise

26. Prior to the submission of an occupancy permit application, the noise sensitive development adjacent to a major transport corridor must implement measures to ameliorate the impact of transport noise. The development is to comply with WAPC State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning and implement the acoustic report titled, BESTEC bringing buildings to life, 50-52 Melville Parade, Acoustic Services Preliminary Design Report, Revision 04, date 23/09/2019 prepared by BESTEC with the following amendment:
- i. Noise sensitive areas of the development (i.e. living and sleeping areas) must be designed to achieve acceptable indoor noise levels as per the SPP 5.4 (2019) noise targets.
 - ii. The development must provide at least one outdoor living space per dwelling that complies with the SPP 5.4 (2019) noise targets.
 - iii. The proposed noise barrier on level 3 must have a surface mass of minimum 15kg/m², must be built to a suitable height to reduce noise levels that complies with the SPP 5.4 (2019) noise targets.
27. Prior to the submission of an occupancy permit application, certification from a qualified acoustic consultant is to be submitted confirming the noise level targets in State Planning Policy 5.4 - Road and Rail Transport Noise (2019) have been achieved. This certification must be provided to City of South Perth.
28. Prior to the submission of an occupancy permit application, a notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificates of title of the proposed lots. The notification is to state as follows:

'The lots are situated in the vicinity of a transport corridor and are currently affected, or may in future be affected by transport noise.'



Materials and Finishes

29. Prior to the submission of a building permit application, the applicant is to submit a final materials schedule, demonstrating that building materials shall be of a non-reflective nature and that reflective light will not impact upon drivers exiting the freeway, on advice from Main Roads WA, to the satisfaction of the City of South Perth. The material selection shall have regard to the recommendations of the façade reflectivity report by Aurecon (dated 1 December 2017).
30. Prior to the submission of a building permit application, the applicant is to submit a final materials schedule, roof finish detailing and finalised landscaping drawings, to the satisfaction of the City of South Perth on advice from the City's Design Review Panel.
31. Prior to the submission of an occupancy permit application, the surface of the boundary wall visible from the street shall on the northern elevation be finished to be compatible with the external walls of the adjoining building and to a high quality standard, to the satisfaction of the City of South Perth.
32. Prior to the submission of a building permit application, the plans shall be amended to reference a 'shadow box' façade treatment as appropriate on the northern and southern elevations from Levels 4-23, to respond to the objectives of Element 3.5 (Visual Privacy) of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments, to the satisfaction of the City of South Perth. Prior to the submission of an occupancy permit application, the endorsed visual privacy treatment shall be installed, and maintained thereafter, to the satisfaction of the City of South Perth.

Lighting

33. Prior to submission of an occupancy permit application, the recommended specifications and measures of the lighting strategy by FPOV (dated 4 October 2019) shall be installed and maintained thereafter, to the satisfaction of the City.

Wind

34. Prior to the submission of a building permit application, a report or statement detailing how recommendations within the Wind Comfort Report by Cundall (dated 19 September 2019), including any further studies, have been addressed and implemented accordingly, must be submitted to, and approved in writing by, the City of South Perth. Where relevant, any measures shall be reflected in development plans submitted with a building permit application, to the satisfaction of the City of South Perth. Prior to the submission of an occupancy permit application, certification confirming the requirements of this condition have been achieved in the constructed development, must be submitted to, and approved in writing by, the City of South Perth.



Utilities and Facilities

35. External fixtures such as air conditioning infrastructure, shall be integrated into the design of the building to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City.
36. External clothes drying facilities shall be screened from view from the street or any other public place.

Advice Notes

1. 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.
2. This is a notice of determination on application for development approval issued in accordance the Planning and Development Act 2005, the Planning and Development (Local Planning Schemes) Regulations 2015, the City of South Perth Town Planning Scheme No. 6, and related policies. It is not a building permit or an approval to carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. All other advice notes will be included in a separate letter to the applicant from the City of South Perth.

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

MELVILLE PARADE



DEVELOPMENT
ASSESSMENT PANEL

APPROVED
20-Nov-2019

BOWMAN STREET

MELVILLE PARADE



DEVELOPMENT
ASSESSMENT PANEL

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20-Nov-2019

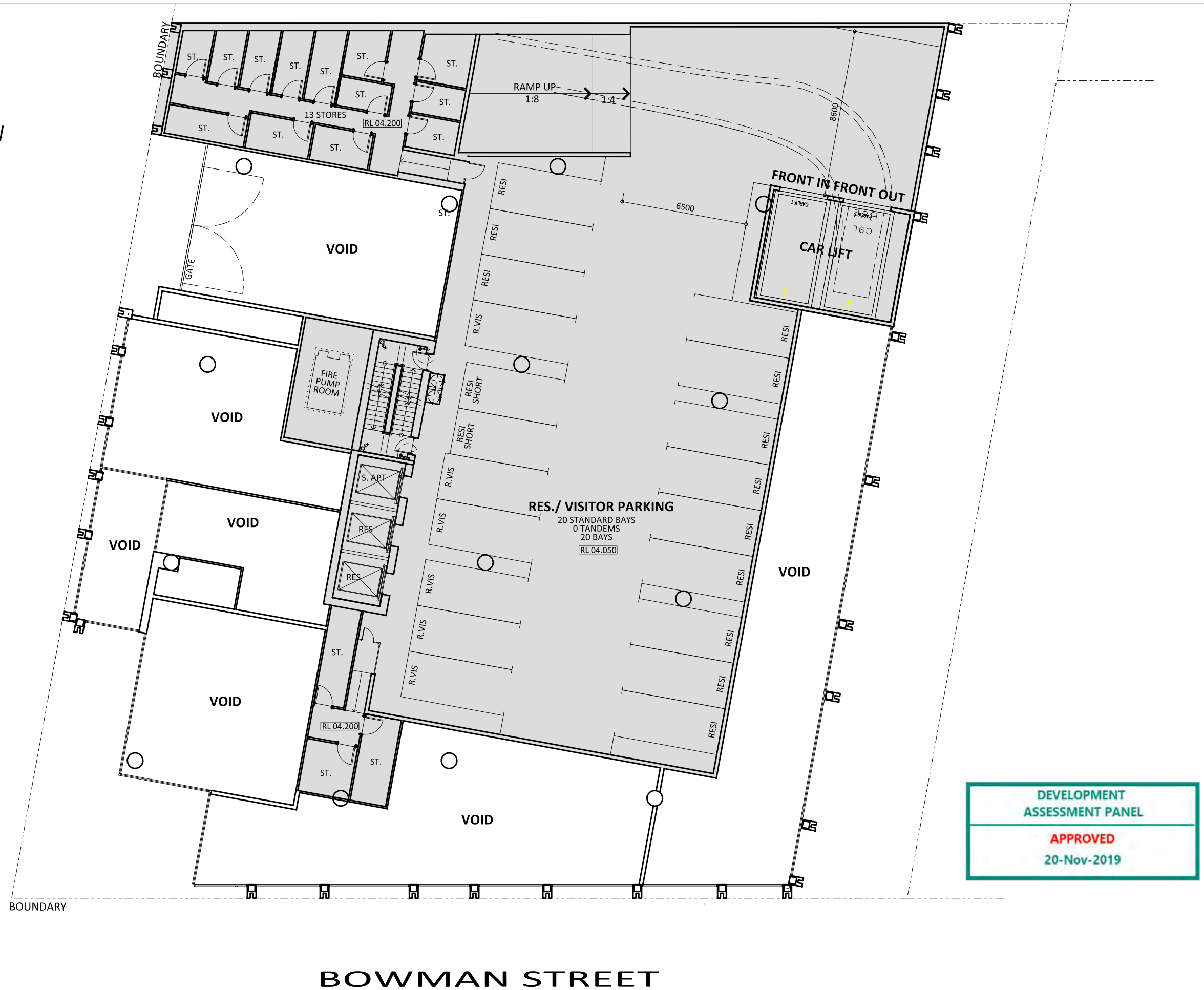
BOWMAN STREET



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ASSESSMENT PANEL

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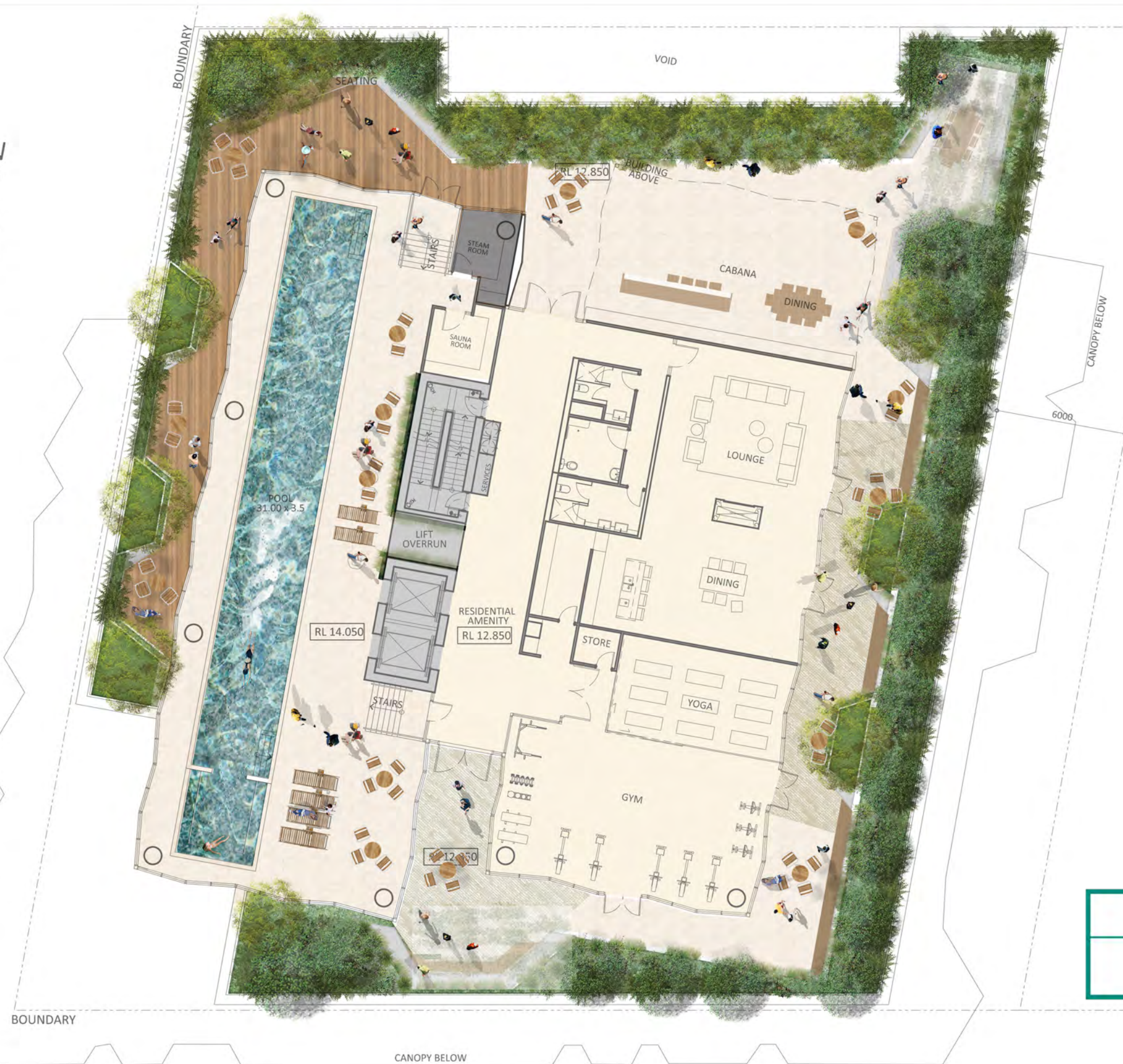
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BOWMAN STREET



MELVILLE PARADE



BOWMAN STREET

DEVELOPMENT
ASSESSMENT PANEL

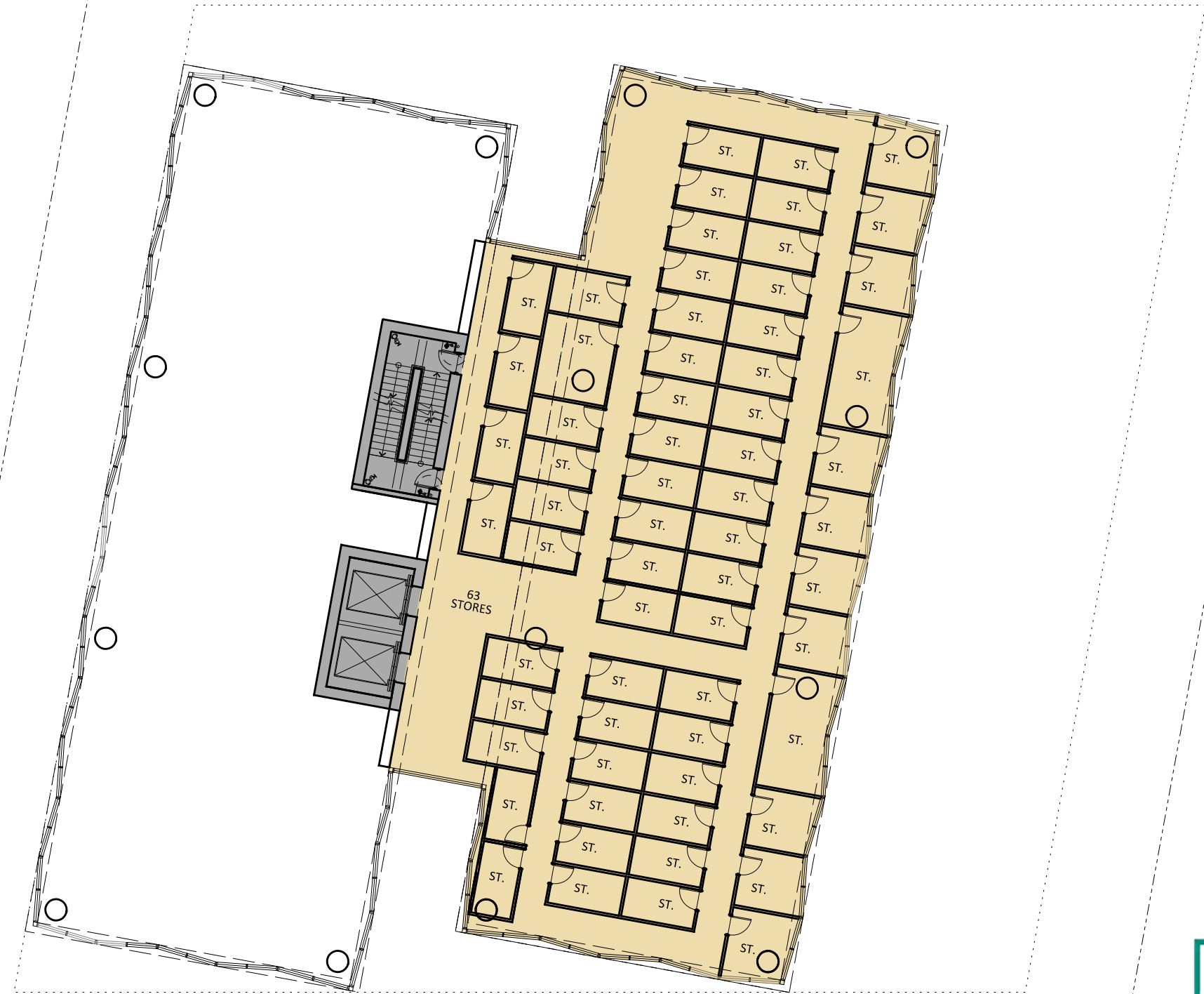
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MELVILLE PARADE

BOUNDARY

BOUNDARY

BOWMAN STREET



DEVELOPMENT
ASSESSMENT PANEL

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MELVILLE PARADE



DEVELOPMENT
ASSESSMENT PANEL

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BOWMAN STREET

MELVILLE PARADE



DEVELOPMENT
ASSESSMENT PANEL

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BOWMAN STREET

MELVILLE PARADE



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BOWMAN STREET

MELVILLE PARADE

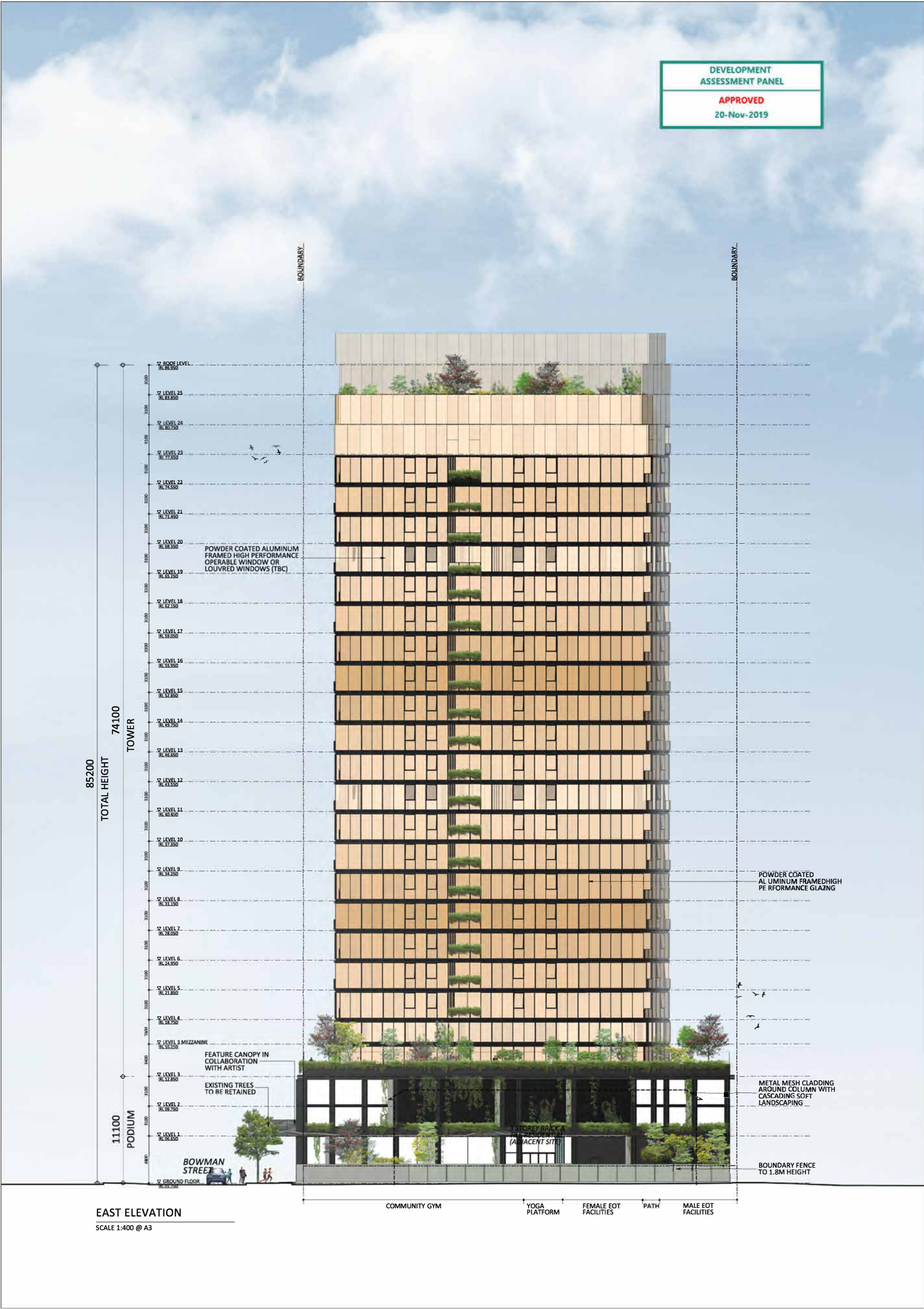


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ASSESSMENT PANEL

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BOWMAN STREET





SOUTH ELEVATION (BOWMAN STREET)
SCALE 1:400 @ A3

DEVELOPMENT
ASSESSMENT PANEL
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20-Nov-2019





LANDSCAPE LIGHTING

CATERINARY LIGHTING
TO BE CONFIRMED IN COOPERATION WITH THE PROJECT
LIGHTING CONSULTANT



URBAN ORCHARD

01 FUTURE PEDESTRIAN CONNECTION THROUGH TO JUDD STREET

02 ANGLED/FACETED CONCRETE PLANTER DIRECTS PEDESTRIAN TRAFFIC THROUGH.

03 STEEL SHADE STRUCTURE OVERHEAD WITH CREEPER PLANTING & SMALL FRUIT TREES TO CELEBRATE AN 'URBAN ORCHARD' SETTING

04 1800MM HIGH MASONRY BOUNDARY WALL WITH CREEPER AND SCREENING PLANTING

05 STEEL WATER FEATURE OVER ORNAMENTAL POND & FULL HEIGHT GREEN WALL FEATURE TO PROVIDE INDOOR/OUTDOOR ROOM

06 1200MM HIGH MASONRY PLANTER WALL. FACE BRICK TO MATCH PAVING FOR VISUAL TEXTURE, AND TO SOFTEN BUILD ASPECT OF THE LANEWAY SETTING

07 SIMPLE STEEL FRAME SHADE STRUCTURE WITH CREEPER PLANTING TO DELINEATE STREETSCAPE TO LANEWAY SETTING, PROVIDE ADDITIONAL SHADED SPACE AND GREEN CANOPY COVER

08 **SMALL & SMALL ORNAMENTAL** SHADE AND FEATURE TREES

09 WIND AND SOUND ATTENUATION SCREENS TO WESTERN ENTRY. SCREENS TO ALLOW CREEPER PLANTING GROWTH. POTENTIAL PUBLIC ART COORDINATION

10 FEATURE WAYFINDING WALL - TBC SUBJECT TO COORDINATION WITH ARCHITECTS

11 BIKE PARKING

12 CUSTOM STEEL & TIMBER BENCH SEAT AT ENTRY

13 UNIVERSAL ACCESS ENTRY RAMP

14 EXISTING TREES TO BE RETAINED & PROTECTED DURING CONSTRUCTION. TPZ AREAS TO BE RESOLVED AND DICTATED IN COORDINATION WITH ARBORICULTURAL CONSULTANT

15 COBBLESTONE PAVING TO DRIVEWAY ENTRY. FINAL PAVING MATERIALITY SUBJECT TO CITY OF SOUTH PERTH COORDINATION

50-52 MELVILLE PARADE, SOUTH PERTH - GROUND FLOOR

PREPARED FOR HILLAM ARCHITECTS

LANDSCAPE CONCEPT
OCTOBER 2019

JOB NO. 1909201

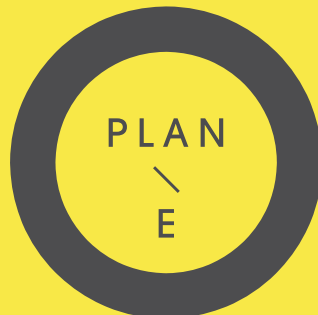
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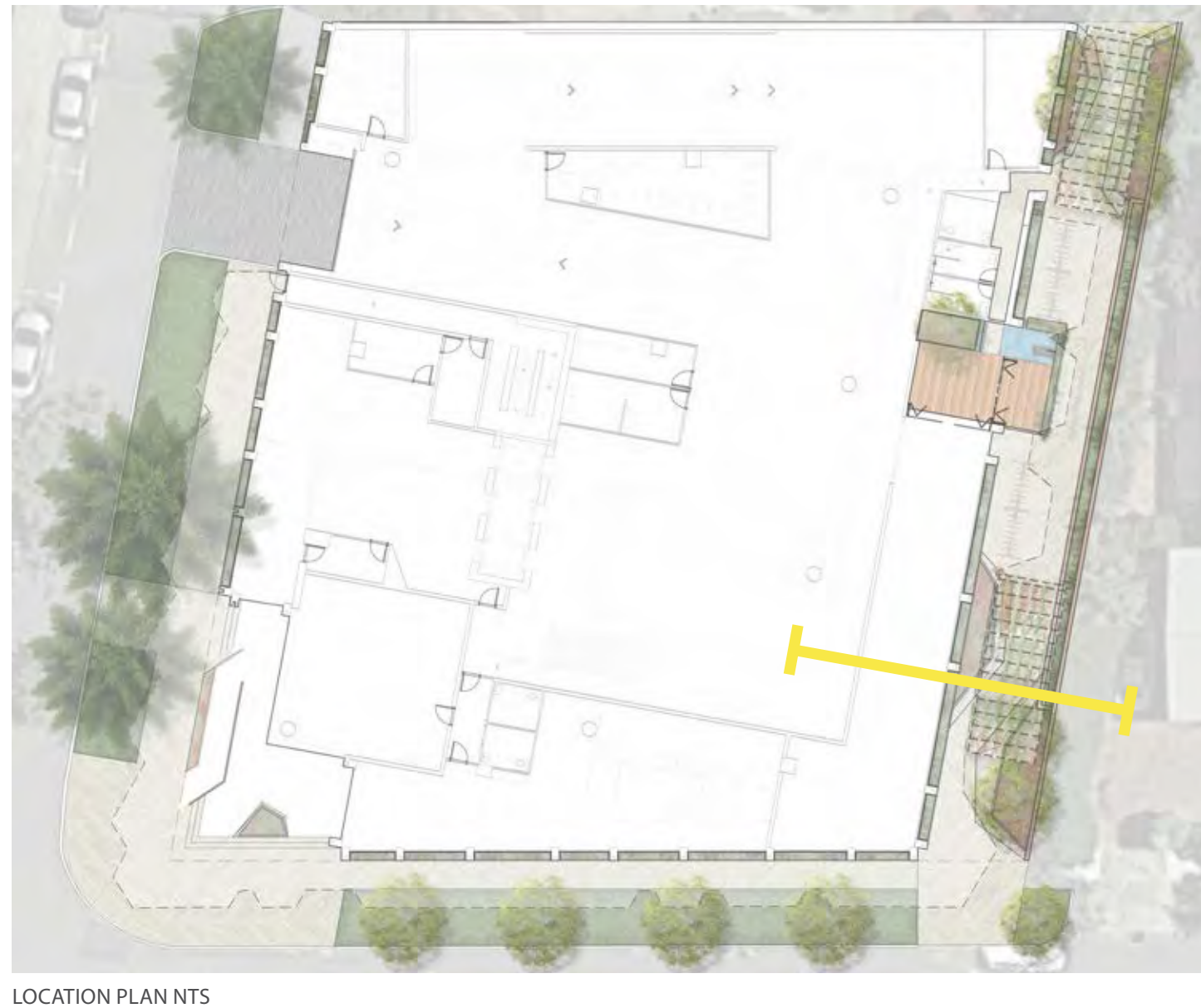


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LOCATION PLAN NTS



SECTION A-A
SCALE 1:15

- 01 PEDESTRIAN CONNECTION (MIN. 2M WIDTH)
- 02 ANGLED/FACETED CONCRETE PLANTER DIRECTS PEDESTRIAN TRAFFIC THROUGH.
- 03 SIMPLE STEEL FRAME SHADE STRUCTURE WITH CREEPER PLANTING TO DELINEATE STREETSCAPE TO LANEWAY SETTING, PROVIDE ADDITIONAL SHADED SPACE AND GREEN CANOPY COVER
- 04 1800MM HIGH MASONRY BOUNDARY WALL WITH CREEPER AND SCREENING PLANTING
- 05 1200MM HIGH MASONRY PLANTER WALL. FACE BRICK TO MATCH PAVING FOR VISUAL TEXTURE, AND TO SOFTEN BUILD ASPECT OF THE LANEWAY SETTING

DEVELOPMENT
ASSESSMENT PANEL
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SCALE AS INDICATED

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LARGERSTROEMIA ACOMA



POTENTIAL PUBLIC ARTWORK LOCATION
TO BE CONFIRMED ON COORDINATION WITH CITY OF SOUTH PERTH

- 01 FEATURE BRICK PAVING ON STILTS TO BALCONY AREAS
- 02 1200MM HIGH FOLDED BLACK STEEL PLANTER WITH SELF CONTAINED DRAINAGE AND IRRIGATION SYSTEM
PLANTERS MIN WIDTH 1.0M
- 03 SMALL SIZED SHADE AND FEATURE TREES.
TEXTURED UNDER PLANTING AND CREEPER PLANTING TO METAL SCREEN
- 04 VERTICAL SCREEN WITH CREEPER PLANTING FOR VISUAL SCREENING,
SOUND AND WIND ATTENUATION



HEMIANDRA PUNGENS



CASUARINA 'COUSIN IT'



SENECIO BLUE CHALK STICKS



SENECIO SERPENS

**DEVELOPMENT
ASSESSMENT PANEL**

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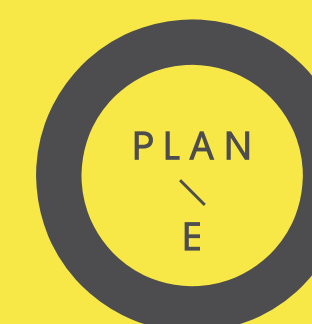
50-52 MELVILLE PARADE, SOUTH PERTH - LEVEL 1-2
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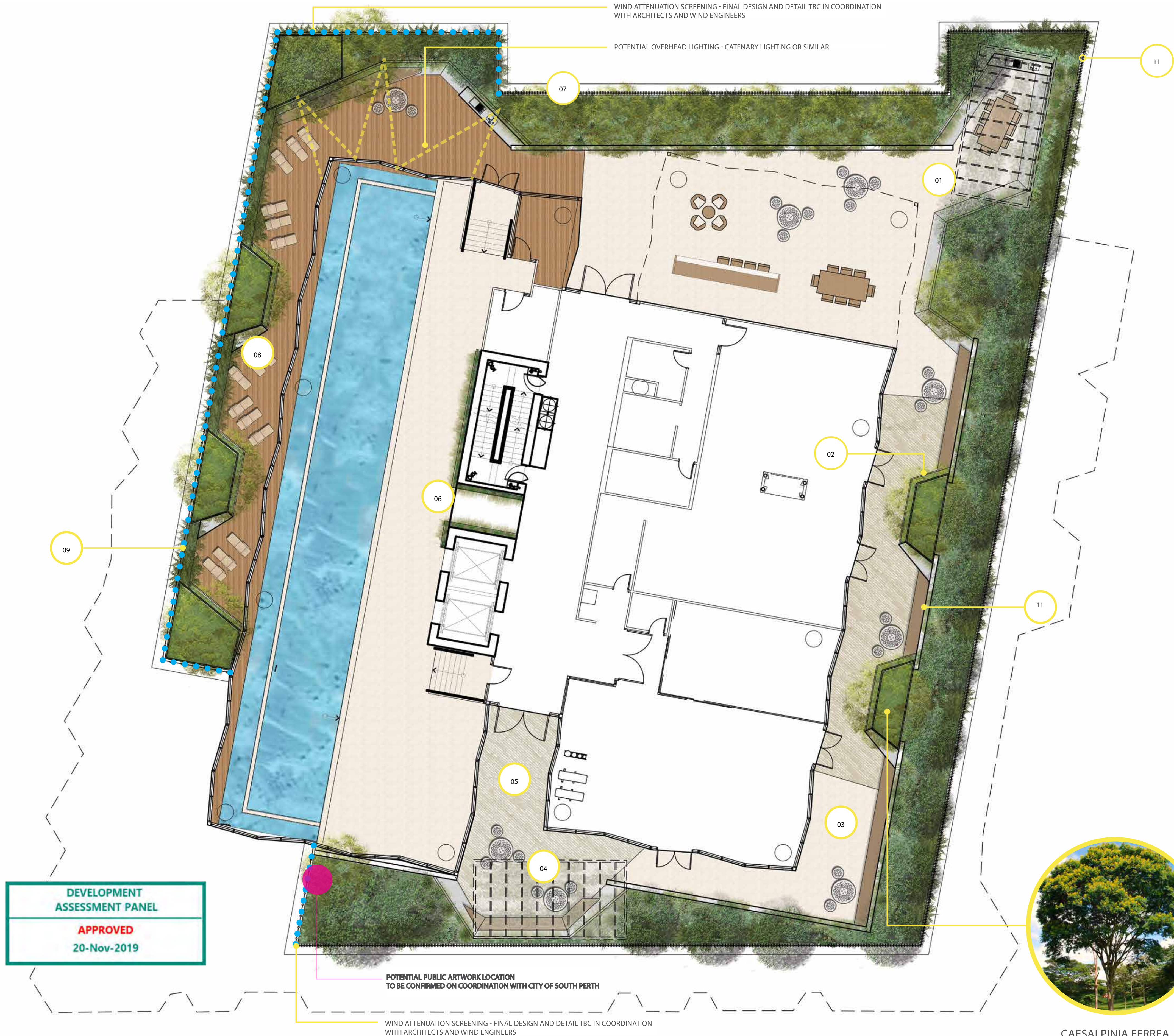
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- 01 BBQ AND GATHERING SPACE WITH FIXED SEATING OPPORTUNITIES AND CREEPER PLANTING TO SHADE STRUCTURE OVER
- 02 1.6M HIGH RAISED STEEL PLANTERS WITH SPLIT HEIGHT LOWER GARDEN AND CUSTOM SEATING.
- 03 OPEN USE SPILL OUT AREAS FROM COMMERCIAL TENANCIES. MIXTURE OF FIXED AND MOVABLE FURNITURE
- 04 OPEN STEEL FRAME SHAPE STRUCTURE WITH CREEPER PLANTING TO PROVIDE SHADED SPACES, AND IMPROVE ENCLOSURE
- 05 FEATURE BRICK PAVING ON STILTS
- 06 INTERNAL GREEN WALL TO POOL AREA. TEXTURED PLANTING WITH SELF CONTAINED IRRIGATION AND DRAINAGE
- 07 COURTYARD SPACES WITH LAYERED AND TEXTURED PLANTING. WIND AND HEAT TOLERANT SPECIES
- 08 OUTDOOR ROOM AREAS WITH TALL STEEL PLANTERS FOR WIND SCREENING
- 09 1800MM TALL GLASS WIND AND SOUND ATTENUATION TO WESTERN ASPECT BETWEEN STEEL PLANTERS. SOLID PLANTERS INFILL PANELS
- 10 1800MM TALL GLASS WIND AND SOUND ATTENUATION TO WESTERN ASPECT BETWEEN STEEL PLANTERS. SOLID PLANTERS INFILL PANELS
- 11 1.2M HIGH RAISED MASONRY PLANTERS WITH TEXTURED AND LAYERED PLANTING TO ADDRESS OVERLOOKING ISSUES. SCREENING TREES PROVIDE SENSE OF ENCLOSURE TO THE DECKING AREA



CAESALPINIA FERREA



EUCALYPTUS CAESIA 'SILVER PRINCESS'

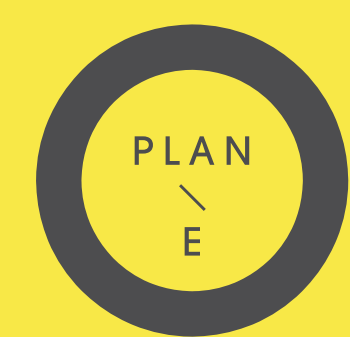
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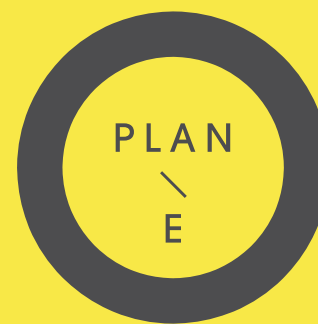
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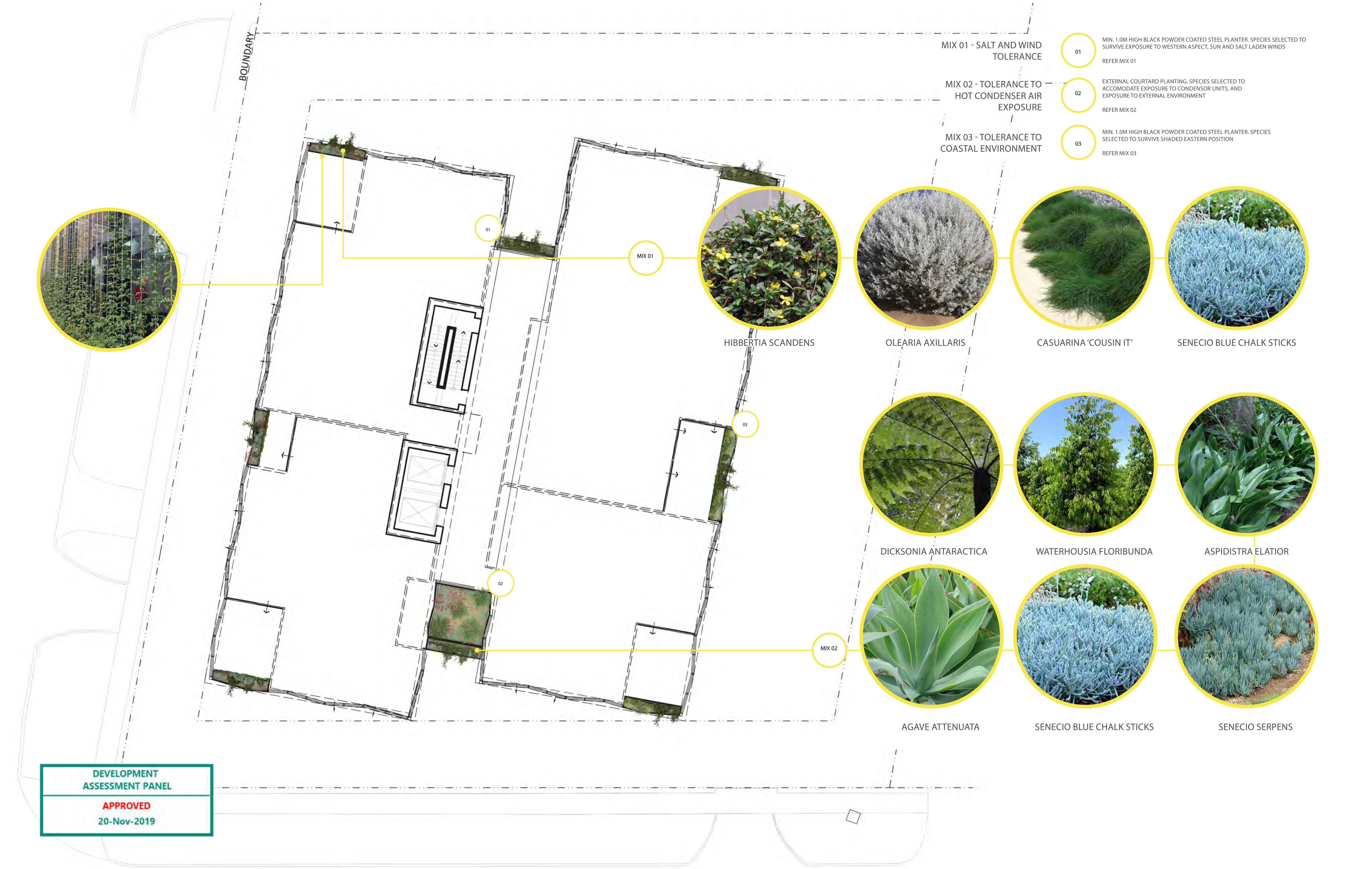
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50-52 MELVILLE PARADE, SOUTH PERTH - LEVEL 15-23
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- 01 ANGLED CONCRETE PLANTER
- 02 RAISED TIMBER DECKING PLATFORM TO POOL SURROUNDS
CONSTANT SCULPTURAL BENCH SEAT TO FULL LENGTH OF DECKING PLATFORM
- 03 FEATURE OFF FORM CONCRETE WALL WITH STEEL SPOUT WATER FEATURES. WALL PROVIDES
WIND AND SOUND ATTENUATION, AND PRIVACY SCREENING
- 04 OPEN STEEL FRAME SHADE STRUCTURE WITH CREEPER PLANTING OVER OUTDOOR DINING
AND BBQ SETTING. SEATING AND GATHERING SPACE.
MASONRY STAIRS CONNECT UPPER AND LOWER DECKING AREAS
- 05 1800MM H STEEL FRAME PRIVACY SCREEN BETWEEN OUTDOOR PENTHOUSE AREAS.
CREEPER PLANTING TO SCREENS, WITH MEDIUM AND SMALL SIZED TREES TO CENTRAL
PLANTER BED
- 06 WIND AND SOUND ATTENUATION SCREENS TO WESTERN ASPECT. POTENTIAL
FOR PUBLIC ARTWORK TO BE INCORPORATED TO SCREENS
- 07 MIN. 1.0M HIGH BLACK POWDER COATED STEEL PLANTER. SPECIES
SELECTED TO SURVIVE SHADED EASTERN POSITION
REFER MIX 03

MIX 03 - TOLERANCE TO
COASTAL ENVIRONMENT

50-52 MELVILLE PARADE, SOUTH PERTH - LEVEL 24
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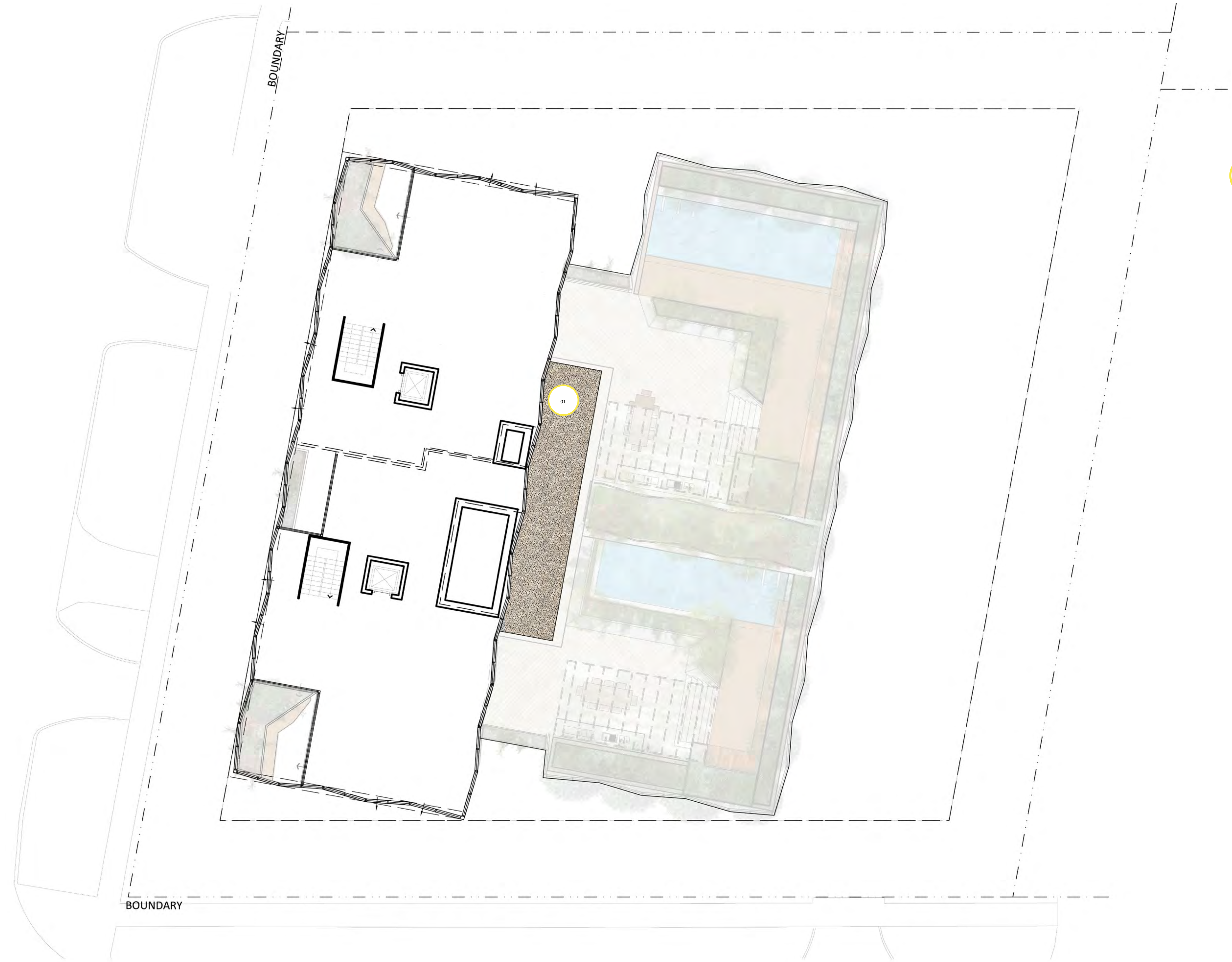
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01 LOOSE STONE TO ROOF TOP

DEVELOPMENT
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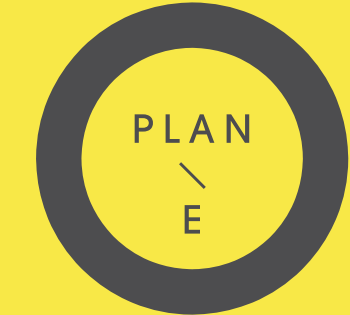
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		17/02/2026	
		1:1250	

18th November 2025

Ms Courtney Wynn
A/Manager Development Services
City of South Perth
Civic Centre
Cnr Sandgate Street & South Terrace
South Perth WA 6151

**RE: Request for Extension of Development Approval Validity Period – Lot 29-31 (No. 50-52)
Melville Parade, South Perth. DAP/17/01288**

Dear Courtney,

On behalf of our client, NL Homes Melville Pty Ltd, we write to formally request an extension of two (2) years to the validity period of the existing Development Approval for the proposed high-rise residential apartment development at 50-52 Melville Parade, originally approved by the Joint Development Assessment Panel (JDAP) on 20 November 2019.

Despite sustained effort and investment in progressing the project, several external factors beyond our control have delayed commencement. These factors have affected the broader construction industry and have had direct implications for delivery timeframes. Our reasons for requesting this extension are summarised below:

1. Industry-Wide Labour Shortages

The construction sector in Western Australia continues to experience significant shortages of skilled labour, particularly in specialist high-rise construction trades. These constraints have affected programming, tendering, and commencement planning.

2. Lack of Tier 1 High-Rise Builders Available in WA

The limited availability of Tier 1 contractors currently operating in the Perth market has restricted the ability to secure a suitably qualified builder for a project of this scale and complexity. This has resulted in unavoidable delays in procurement and construction planning.

3. Market Uncertainty During and Following the COVID-19 Period

Economic and supply-chain uncertainty during the COVID-19 period, and in the years following, has impacted financing conditions, construction pricing, and developer risk settings. This period of instability contributed to project delays outside the proponent's control.

4. Regulatory Changes and Escalating Construction Costs

Recent changes to building regulations and compliance requirements have significantly increased development and construction costs. Substantial redesign, costing, and

engineering updates have been required to ensure the project aligns with the new regulatory environment.

5. Contribution to Perth's Housing Supply and Market Need

Granting an extension will support the timely delivery of much-needed apartment housing in a period of acute housing shortage across the Perth metropolitan area. Maintaining the DA will enable the project to proceed more quickly once market and procurement conditions stabilise.

Despite these challenges, we remain fully committed to delivering this development. An extension of the approval period will allow us to finalise builder procurement, update documentation in line with current regulatory requirements, and commence construction as soon as practicable.

We respectfully request that the City support this application for a two-year extension, enabling the continuation of a high-quality project that aligns with the City of South Perth's strategic planning objectives and contributes positively to local housing supply.

Please do not hesitate to contact us should you require any additional information or supporting documentation.

Yours sincerely,

Please do not hesitate to contact me at tom@spacecollective.com.au or on my mobile 0401293098 if you request any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tom Letherbarrow', with a horizontal line drawn underneath it.

Tom Letherbarrow
Director

Development Approval – November 2019

City of Perth, Western Australia

1. Executive Summary & Core Position

This submission responds to the City's request for further information regarding the Development Approval granted in November 2019.

The approval has been actively pursued since grant. The delay in commencement was not due to indecision or inactivity. Rather, commencement was prudently deferred due to unprecedented systemic industry disruption between 2019 and 2025, including:

- Severe shortage of Tier 1 and Tier 2 contractors across Western Australia
- Escalation of construction costs in the order of 20–40% between 2019–2023
- Skilled labour shortages during COVID-19, with foreign labour availability reducing by over 30%
- Material supply chain disruption and escalation-heavy contracting conditions
- Rapid interest rate increases, with lending rates rising from approximately 2.5% (2019) to over 5% (2023), materially impacting feasibility

Commencing construction under these peak volatility conditions would have exposed the development to disproportionate financial, execution, and insolvency risk.

The project is now positioned for delivery under stabilised and de-risked market conditions.

2. Key Factors Behind the Delay (2020–2024)

(a) COVID-19 Disruption (2020–2021)

Government restrictions, site shutdowns, reduced workforce capacity, and material delays significantly affected buildability and program certainty.

(b) Contractor Capacity & Insolvencies

Tier 1 contractors prioritised major government infrastructure projects. Tier 2 builders were operating at or beyond capacity.

The market experienced multiple contractor insolvencies across Western Australia, increasing delivery risk and prompting selective tendering and heavily risk-priced contracts.

(c) Construction Cost Escalation

Residential construction costs in Perth increased between 20% and 40% from 2019–2023, driven by labour shortages, material escalation, and supply chain disruption.

(d) Financing Constraints

Interest rates more than doubled during 2022–2023, materially reducing project feasibility and increasing equity exposure.

(e) Basement Construction Risk

The previously approved basement component was assessed as high-risk due to:

- Labour intensity
- Geotechnical uncertainty
- Cost unpredictability
- Program exposure

Strategic Decision: Defer commencement to avoid peak volatility pricing and manage capital risk responsibly.

3. Actions Undertaken Since Approval

2019–2022 – Development Review & Optimisation

- Ongoing architectural review and consultant coordination
- Updated cost planning and financial modelling
- Contractor market soundings to test pricing conditions
- Strategic review of basement configuration to reduce complexity and risk

These actions demonstrate continued due diligence and active project management.

2022 – Consultant Engagement

The developer formally engaged:

- **Development Manager:** Mr Phillip Gnech – Builtform Projects
- **Marketing Agent:** Peter – dmanagement.com.au

The consultant team was tasked to:

- Refine unit layouts
- Improve façade presentation
- Undertake updated feasibility modelling

Selected builders were approached for cost benchmarking and delivery input, including:

- Multiplex
- BUILT
- PACT Construction
- Pyramid Construction

Outcome of Review (2022):

Despite optimisation measures (layout revisions, façade refinement, contractor engagement), the scheme remained financially unviable under prevailing market conditions due to:

- Escalated construction costs
- Funding constraints
- Disproportionate risk exposure relative to achievable returns

The decision not to proceed at that time reflects prudent commercial judgement and responsible capital management.

4. What Has Changed (2025 Market Conditions)

Market conditions have materially stabilised:

- Construction cost volatility moderated (quarterly fluctuations <5%)
- Labour supply normalised to pre-COVID levels
- Contractor appetite improving, particularly for simplified schemes
- Lending rates stabilised at approximately 5%
- Revised scheme removes basement, reducing capital intensity and improving IRR

The project is now financially resilient, simplified in construction methodology, and positioned for delivery.

5. Next Steps (Subject to Extension Approval)

Upon grant of extension:

1. Finalise working drawings
2. Complete structural and consultant coordination
3. Prepare full tender documentation
4. Early engagement with Tier 1 and upper Tier 2 contractors
5. Proceed to builder appointment

6. Proposed Delivery Timeline

- **Final Design & Documentation: 8 months**
- **Tender & Builder Engagement: 6 months**
- **Construction Commencement: after builder engagement – expecting commencement by early-mid 2027**

This represents a realistic and deliverable pathway under current market conditions.

7. Conclusion

Since 2019, the Development Approval has been actively pursued through:

- Design refinement
- Feasibility reassessment
- Contractor engagement
- Market testing
- Financial re-modelling

The delay was not the result of inaction, but of unprecedented systemic disruption affecting the Western Australian construction industry.

The revised scheme is now de-risked, financially resilient, and positioned for implementation.

We respectfully request that the City of Perth grant an Extension of Time to enable the responsible delivery of the approved development under stabilised market conditions.



PART C – OTHER BUSINESS

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