

Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 21 July 2026; 9:30am
Meeting Number: MODAP/150
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[MODAP/150 - 21 July 2026 - City of Mandurah - City of Swan](#)

PART A – INTRODUCTION

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

PART B – CITY OF MANDURAH

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 4 (189) Bailey Boulevard, Dawesville - Fast Food Outlet – DAP/26/03111
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – CITY OF SWAN

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 603 (No.274) Great Eastern Highway, Midland - Proposed Alteration and Additions to Shopping Centre – DAP/26/03108
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



Clayton Higham
Presiding Member, Metro Outer DAP

DAP Members

Clayton Higham (Presiding Member)

Francesca Lefante (Deputy Presiding Member)

Dr Agata Cabanek

Cr Caroline Knight (Part B – City of Mandurah)

Cr Ryan Burns (Part B – City of Mandurah)

Cr Mel Congerton (Part C – City of Swan)

Cr Rod Henderson (Part C – City of Swan)

DAP Secretariat

Tenielle Brownfield

Ashlee Kelly



Clayton Higham
Presiding Member, Metro Outer DAP

Part B – City of Mandurah
Applicant
Marc Re (Planning Solutions) Todd Wood (McDonald's) Andrew Jennings-Lowe (Hindley and Associates) Tegan Carlson (McDonald's)
Officers/Technical Advisors in Attendance
Aaron Lucas Cherryll Oldham Brendan Ingle

Part C – City of Swan
Applicant
Murray Casselton (SLR Consulting) Paul McQueen (CBRE)
Officers/Technical Advisors in Attendance
Phil Russell

Members of the Public / Media

Nil

Observers via livestream

There were 8 persons observing the meeting via the livestream.



Clayton Higham
Presiding Member, Metro Outer DAP

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:40am on 21 July 2026 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 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

Nil

3. Noting of Minutes

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



Clayton Higham
Presiding Member, Metro Outer DAP

PART B – CITY OF MANDURAH

1. Declaration of Due Consideration

The Presiding Member noted that details of a DAP direction for services and responsible authority response in relation to Item 3.1, received on 17 July 2026 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

Nil

3. Form 1 DAP Applications

3.1 Lot 4 (189) Bailey Boulevard, Dawesville - Fast Food Outlet – DAP/26/03111

Deputations

Marc Re (Planning Solutions) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Todd Woods (McDonald's) responded to questions from the panel.

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

SUBSTANTIVE MOTION 1

Moved by: NIL

Seconded by: NIL

That the Metro Outer DAP resolves to:

1. **Refuse** DAP Application reference DAP26/3111 and accompanying plans (Plan DA01, Issue 2, DA02, Issue 2, DA02-1, Issue 2, DA03, Issue 2, DA04, Issue 2, DA05, Issue 2, DA06, Issue 2, DA07, Issue 2, DA08, Issue 2, DA09, Issue 2, DA10, Issue 2, DA11, Issue 2, DA12, Issue 2 and DA13, Issue 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 the City Local Planning Scheme No.12, for the following reasons:



Clayton Higham
Presiding Member, Metro Outer DAP

Reasons

1. The development fails to respond to Design Review Panel recommendation to position the building at the intersection of Bailey Boulevard and Cocklebidy Gate. Consequently, the development fails to activate the streetscape and does not positively contribute to activation and visual amenity of the Neighbourhood Centre.
2. The development fails to meet the objectives of a Neighbourhood Centre Zone as outlined in City of Mandurah Local Planning Scheme No.12 in that the development does not provide high quality, pedestrian- friendly, street-orientated development.
3. The development fails to meet the requirements of Schedule 1 - General Requirements Where the R-Codes do not apply in all Centre Zones and Service Commercial Zones where buildings are required to front the primary street.
4. The development fails to meet the Main Street design principles as outlined under the Florida Neighbourhood Centre Local Development Plan.

The Substantive Motion LAPSED for want of a mover and a seconder.

SUBSTANTIVE MOTION 2

Moved by: Francesca Lefante

Seconded by: Cr Caroline Knight

With the agreement of the mover and seconder, the motion was amended to include a new Condition 1 identifying the plans associated with this approval, with all subsequent conditions renumbered accordingly.

It is recommended that the Metro Outer DAP resolves to:

1. **Accept** that the DAP Application reference DAP26/3111 is appropriate for consideration as a Fast Food Outlet land use which is compatible with the objectives of the zoning table in accordance with Local Planning Scheme No.12.
2. **Approve** DAP Application reference DAP26/3111 and accompanying plans (attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 3.3.5 of the Planning Local Planning Scheme No. 12 subject to the following conditions:



Clayton Higham
Presiding Member, Metro Outer DAP

Conditions:

1. The development is to be undertaken in accordance with the approved plans and documents attached to this approval, as listed below, except where amended by subsequent conditions:

Plan/ Document Name	Reference	Date
Location Plan 0923	DA01 - Rev 2	25.06.2026
Overall Site Plan 0923	DA02 - Rev 2	25.06.2026
Overall Site Works	DA02-1 - Rev 2	25.06.2026
Site Plan 0923	DA03 - Rev 2	25.06.2026
Site Signage Plan 0923	DA04 - Rev 2	25.06.2026
Floor Plan 0923	DA05 - Rev 2	25.06.2026
Roof Plan 0923	DA06 - Rev 2	25.06.2026
Front and Side Building Elevations - 0923	DA07 - Rev 2	25.06.2026
Drive Thru and Rear Building Elevations - 0923	DA08 - Rev 2	25.06.2026
External Finishes Schedule 0923	DA09 - Rev 2	25.06.2026
Signage Details 0923	DA10 - Rev 2	25.06.2026
Signage Details 0923	DA11 - Rev 2	25.06.2026
Signage Details 0923	DA12 - Rev 2	25.06.2026
3D Views 0923	DA13 - Rev 2	25.06.2026

2. This decision constitutes planning approval only and is valid for a period of four (4) 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.
3. The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah.
4. Prior to the commencement of site works modified plans to be submitted to the satisfaction of City of Mandurah addressing the following matters:
 - a. The building to be repositioned to be located closer to both Bailey Boulevard and Cocklebidy Gate.
 - b. A footpath to be constructed along the Cocklebidy Gate frontage.
 - c. Pedestrian pathways to be provided from the building east to the car park and public footpath to be constructed on Cocklebidy Gate. A pedestrian footpath to be provided from the development north to connect with the shopping centre footpath network.
 - d. The awning on the southern elevations to be continued to the western extent of the building.
 - e. The pylon sign and banner sign shall be removed from the signage plans.



Clayton Higham
Presiding Member, Metro Outer DAP

- f. The red brick as shown on External Finishes Schedule shall be modified to be consistent with the prevailing red brick within the neighbourhood centre.
 - g. The loading bay shall be screened between the loading bay and drive-through access.
 - h. The Western Power transformer shall be relocated on site though not within the Bailey Boulevard frontage.
5. Prior to the commencement of site works, a Construction Management Plan (CMP) shall be prepared and submitted to the City of Mandurah for approval. The approved CMP shall thereafter be implemented at all times to the satisfaction of the City of Mandurah.
6. Prior to the commencement of site works an updated Stormwater Management Plans shall be prepared and submitted to the City of Mandurah to the satisfaction of the City of Mandurah.
7. Prior to the commencement of the use the proposed development shall be connected to sewer to the satisfaction of the City of Mandurah.
8. Prior to the commencement of the use the approved landscaping plan prepared by Urban Retreat Landscape Design dated 17 June 2026 shall be fully implemented to the satisfaction of the City of Mandurah. The landscaping shall then be maintained to the satisfaction of the City of Mandurah. Any species which fail to establish within the first two planting seasons following implementation must be replaced in consultation with and to the satisfaction of the City of Mandurah.
9. Prior to the commencement of the use vehicle parking, manoeuvring and circulation areas shall be sealed, drained, kerbed, marked (including loading and disable bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah.
10. Prior to the commencement of the use vehicle crossovers are to be constructed to the specifications and satisfaction of the City of Mandurah. Once constructed, the vehicle crossovers the vehicle crossovers shall be maintained at all times to the satisfaction of the City of Mandurah.
11. Prior to commencement of use, a Litter Management Plan and an Anti-Social Behaviour Management Plan shall be submitted to and approved by the City of Mandurah. The approved plans shall be implemented and maintained at all times to the satisfaction of the City of Mandurah.
12. All uncovered car parking bays to be constructed in accordance with AS2890.1. Any bays adjacent to kerbs or bays used for disabled parking, shall be in constructed accordance with Australian Standards AS1428.1.
13. Car parking bays hereby approved shall not be used for general storage or any other purpose than the parking of motor vehicles to the satisfaction of the City of Mandurah.



Clayton Higham
Presiding Member, Metro Outer DAP

14. Security, building, signage, and car parking lighting shall be located, designed and installed to prevent excess light spillage from the development. Reference should be made to AS 4282 Control of the Obtrusive Effect of Outdoor Lighting and other relevant lighting standards.
15. Waste delivery shall only access the site during the day between the hours of 7.00am to 7.00pm Monday to Saturday, and 9.00am to 7.00pm Sunday and Public Holidays to the satisfaction of the City of Mandurah.
16. Waste management shall be implemented at all times in accordance with the approved McDonalds' Halls Head Waste Management Plan REV 1 to the satisfaction of City of Mandurah.

Advice Notes

1. The updated Stormwater Management Plan shall provide the following details:
 - Stormwater soakwell sizing calculations per subcatchment.
 - Reasoning for the selected design event (24 hour 1% AEP).
 - The stormwater plan indicates that the driveway to the north of the development is being widened to dual carriage. The capacity of the existing driveway soakwells has not been considered in the plan in terms of additional catchment created with the widening. This should be checked and supplemented appropriately where additional storage is required.
 - The standard detail sheet implies buried soakwells under the hardstand – which leaves three soakwells (25%) inaccessible for effective maintenance if correct. This is not indicated on the stormwater management plan.
2. (a) Any installation of a grease trap within the premises shall be subject to the following conditions:
 - i). approval for the installation from the City and the Water Corporation of WA (call 13 13 95 or visit www.watercorporation.com.au/I/industrialwaste_index.cfm).
 - ii). the trap shall be constructed of solid impervious materials sealed to prevent the escape of odours.
 - iii). the door shall be fitted with a gasket to provide a seal when closed;
and
 - iv). independent access to the trap for cleaning purposes shall be provided
- (b) An application for registration of a food business as required by the *Food Act 2008* shall be submitted to the City of Mandurah. The business must not trade until a registration certificate has been issued by the City's Health Services
4. Prior to any works commencing, an application for a building permit is to be submitted to and approved by the City of Mandurah.
3. Prior to any work commencing, an application for a building permit is to be submitted to and approved by the City of Mandurah.



Clayton Higham
Presiding Member, Metro Outer DAP

AMENDING MOTION 1

Moved by: Francesca Lefante

Seconded by: Clayton Higham

That Condition No. 3 a) (now Condition No. 4 a)) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Members were satisfied that the building's position reflects the Florida ODP and is consistent with the contextual location and streetscape of Bailey Boulevard.

AMENDING MOTION 2

Moved by: Francesca Lefante

Seconded by: Clayton Higham

That Condition No. 3 b) (now Condition No. 4 a)) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED (4/1).

For: Clayton Higham
Francesca Lefante
Dr Agata Cabanek
Cr Ryan Burns

Against: Cr Caroline Knight

REASON: The provision of a footpath along Cocklebidy Gate would link the site to the shopping centre loading area rather than its entrance and is therefore not required.



Clayton Higham
Presiding Member, Metro Outer DAP

AMENDING MOTION 3

Moved by: Francesca Lefante

Seconded by: Clayton Higham

That Condition No. 3 c) (now Condition No. 4 a)) be amended to read as follows:

Prior to the commencement of site works modified plans to be submitted to the satisfaction of City of Mandurah addressing the following matters:

- a. *Pedestrian pathways to be provided from the building east to the car park and ~~public footpath to be constructed on Cocklebidy Gate. A pedestrian footpath to be provided from the development north to connect with the shopping centre footpath network.~~*
- b. *The awning on the southern elevations to be continued to the western extent of the building.*
- c. *The pylon sign and banner sign shall be removed from the signage plans.*
- d. *The red brick as shown on External Finishes Schedule shall be modified to be consistent with the prevailing red brick within the neighbourhood centre.*
- e. *The loading bay shall be screened between the loading bay and drive-through access.*
- f. *The Western Power transformer shall be relocated on site though not within the Bailey Boulevard frontage.*

The Amending Motion was put and CARRIED (4/1).

For: Clayton Higham
Francesca Lefante
Dr Agata Cabanek
Cr Ryan Burns

Against: Cr Caroline Knight

REASON: The proposal incorporates significant drive-through elements and dedicated pedestrian access to the existing public footpath. Accordingly, the additional footpath connection is not required.



Clayton Higham
Presiding Member, Metro Outer DAP

AMENDING MOTION 4

Moved by: Francesca Lefante

Seconded by: Cr Caroline Knight

That Condition No. 3 e) (now Condition No. 4 c)) be amended to read as follows:

Prior to the commencement of site works modified plans to be submitted to the satisfaction of City of Mandurah addressing the following matters:

- a. *Pedestrian pathways to be provided from the building east to the car park.*
- b. *The awning on the southern elevations to be continued to the western extent of the building.*
- c. *The pylon sign ~~and banner sign shall be removed from the signage plans~~ **be limited to a total height of 6 metres.***
- d. *The red brick as shown on External Finishes Schedule shall be modified to be consistent with the prevailing red brick within the neighbourhood centre.*
- e. *The loading bay shall be screened between the loading bay and drive-through access.*
- f. *The Western Power transformer shall be relocated on site though not within the Bailey Boulevard frontage.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The reduction in the pylon sign height is appropriate given the site's visibility and the low-speed traffic environment.

AMENDING MOTION 5

Moved by: Francesca Lefante

Seconded by: Cr Caroline Knight

That a new Condition No. 4 g) be added to read as follows:

Prior to the commencement of site works modified plans to be submitted to the satisfaction of City of Mandurah addressing the following matters:

- a. *Pedestrian pathways to be provided from the building east to the car park.*
- b. *The awning on the southern elevations to be continued to the western extent of the building.*
- c. *The pylon sign to be 6 metres in height.*
- d. *The red brick as shown on External Finishes Schedule shall be modified to be consistent with the prevailing red brick within the neighbourhood centre.*
- e. *The loading bay shall be screened between the loading bay and drive-through access.*
- f. *The Western Power transformer shall be relocated on site though not within the Bailey Boulevard frontage.*
- g. ***The banner signage be deleted from the proposal.***

The Amending Motion was put and CARRIED UNANIMOUSLY.



Clayton Higham
Presiding Member, Metro Outer DAP

REASON: The scale and location of the proposed banner sign are considered to dominate and detract from the street view of the site within a low-speed traffic environment.

AMENDING MOTION 6

Moved by: Francesca Lefante

Seconded by: Clayton Higham

That Condition No. 4 h) (now Condition No. 4 f)) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The positioning of the Western Power transformer along Bailey Boulevard does not adversely affect the overall streetscape and is a matter that should be resolved with the relevant agency.

AMENDING MOTION 7

Moved by: Francesca Lefante

Seconded by: Clayton Higham

That Condition No. 9 (now Condition No. 10) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The proposal does not include any new driveways to public roads; accordingly, the condition is redundant.

AMENDING MOTION 8

Moved by: Francesca Lefante

Seconded by: Clayton Higham

That Condition No. 10 be amended to read as follows:

*Prior to commencement of use, a ~~Litter Management Plan and an Anti-Social Behaviour~~ **Operational** Management Plan shall be submitted to and approved by the City of Mandurah. The approved plans shall be implemented and maintained at all times to the satisfaction of the City of Mandurah.*

The Amending Motion was put and CARRIED (4/1).

For: Clayton Higham
Francesca Lefante
Dr Agata Cabanek
Cr Ryan Burns

Against: Cr Caroline Knight



Clayton Higham
Presiding Member, Metro Outer DAP

REASON: Controls and strategies addressing litter, patron behaviour and other operational management matters are more appropriately addressed through a single combined plan rather than multiple separate plans.

SUBSTANTIVE MOTION (AS AMENDED)

It is recommended that the Metro Outer DAP resolves to:

1. **Accept** that the DAP Application reference DAP26/3111 is appropriate for consideration as a Fast Food Outlet land use which is compatible with the objectives of the zoning table in accordance with Local Planning Scheme No.12.
2. **Approve** DAP Application reference DAP26/3111 and accompanying plans (attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause 3.3.5 of the Planning Local Planning Scheme No. 12 subject to the following conditions:

Conditions:

1. The development is to be undertaken in accordance with the approved plans and documents attached to this approval, as listed below, except where amended by subsequent conditions:

Plan/ Document Name	Reference	Date
Location Plan 0923	DA01 - Rev 2	25.06.2026
Overall Site Plan 0923	DA02 - Rev 2	25.06.2026
Overall Site Works	DA02-1 - Rev 2	25.06.2026
Site Plan 0923	DA03 - Rev 2	25.06.2026
Site Signage Plan 0923	DA04 - Rev 2	25.06.2026
Floor Plan 0923	DA05 - Rev 2	25.06.2026
Roof Plan 0923	DA06 - Rev 2	25.06.2026
Front and Side Building Elevations - 0923	DA07 - Rev 2	25.06.2026
Drive Thru and Rear Building Elevations - 0923	DA08 - Rev 2	25.06.2026
External Finishes Schedule 0923	DA09 - Rev 2	25.06.2026
Signage Details 0923	DA10 - Rev 2	25.06.2026
Signage Details 0923	DA11 - Rev 2	25.06.2026
Signage Details 0923	DA12 - Rev 2	25.06.2026
3D Views 0923	DA13 - Rev 2	25.06.2026

2. This decision constitutes planning approval only and is valid for a period of four (4) 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.



Clayton Higham
Presiding Member, Metro Outer DAP

3. The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah.
4. Prior to the commencement of site works modified plans to be submitted to the satisfaction of City of Mandurah addressing the following matters:
 - a. Pedestrian pathways to be provided from the building east to the car park.
 - b. The awning on the southern elevations to be continued to the western extent of the building.
 - c. The pylon sign be limited to a total height of 6 metres.
 - d. The red brick as shown on External Finishes Schedule shall be modified to be consistent with the prevailing red brick within the neighbourhood centre.
 - e. The loading bay shall be screened between the loading bay and drive-through access.
 - f. The banner signage be deleted from the proposal.
5. Prior to the commencement of site works, a Construction Management Plan (CMP) shall be prepared and submitted to the City of Mandurah for approval. The approved CMP shall thereafter be implemented at all times to the satisfaction of the City of Mandurah.
6. Prior to the commencement of site works an updated Stormwater Management Plans shall be prepared and submitted to the City of Mandurah to the satisfaction of the City of Mandurah.
7. Prior to the commencement of the use the proposed development shall be connected to sewer to the satisfaction of the City of Mandurah.
8. Prior to the commencement of the use the approved landscaping plan prepared by Urban Retreat Landscape Design dated 17 June 2026 shall be fully implemented to the satisfaction of the City of Mandurah. The landscaping shall then be maintained to the satisfaction of the City of Mandurah. Any species which fail to establish within the first two planting seasons following implementation must be replaced in consultation with and to the satisfaction of the City of Mandurah.
9. Prior to the commencement of the use vehicle parking, manoeuvring and circulation areas shall be sealed, drained, kerbed, marked (including loading and disable bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah.
10. Prior to commencement of use, a Operational Management Plan shall be submitted to and approved by the City of Mandurah. The approved plans shall be implemented and maintained at all times to the satisfaction of the City of Mandurah.
11. All uncovered car parking bays to be constructed in accordance with AS2890.1. Any bays adjacent to kerbs or bays used for disabled parking, shall be in constructed accordance with Australian Standards AS1428.1.



Clayton Higham
Presiding Member, Metro Outer DAP

12. Car parking bays hereby approved shall not be used for general storage or any other purpose than the parking of motor vehicles to the satisfaction of the City of Mandurah.
13. Security, building, signage, and car parking lighting shall be located, designed and installed to prevent excess light spillage from the development. Reference should be made to AS 4282 Control of the Obtrusive Effect of Outdoor Lighting and other relevant lighting standards.
14. Waste delivery shall only access the site during the day between the hours of 7.00am to 7.00pm Monday to Saturday, and 9.00am to 7.00pm Sunday and Public Holidays to the satisfaction of the City of Mandurah.
15. Waste management shall be implemented at all times in accordance with the approved McDonalds' Halls Head Waste Management Plan REV 1 to the satisfaction of City of Mandurah.

Advice Notes

1. The updated Stormwater Management Plan shall provide the following details:
 - Stormwater soakwell sizing calculations per subcatchment.
 - Reasoning for the selected design event (24 hour 1% AEP).
 - The stormwater plan indicates that the driveway to the north of the development is being widened to dual carriage. The capacity of the existing driveway soakwells has not been considered in the plan in terms of additional catchment created with the widening. This should be checked and supplemented appropriately where additional storage is required.
 - The standard detail sheet implies buried soakwells under the hardstand – which leaves three soakwells (25%) inaccessible for effective maintenance if correct. This is not indicated on the stormwater management plan.
 2. (a) Any installation of a grease trap within the premises shall be subject to the following conditions:
 - i). approval for the installation from the City and the Water Corporation of WA (call 13 13 95 or visit www.watercorporation.com.au/1/industrialwaste_index.cfm).
 - ii). the trap shall be constructed of solid impervious materials sealed to prevent the escape of odours.
 - iii). the door shall be fitted with a gasket to provide a seal when closed;
and
 - iv). independent access to the trap for cleaning purposes shall be provided
 - (b) An application for registration of a food business as required by the *Food Act 2008* shall be submitted to the City of Mandurah. The business must not trade until a registration certificate has been issued by the City's Health Services
4. Prior to any works commencing, an application for a building permit is to be submitted to and approved by the City of Mandurah.



Clayton Higham
Presiding Member, Metro Outer DAP

3. Prior to any work commencing, an application for a building permit is to be submitted to and approved by the City of Mandurah.

The Substantive Motion (as amended) was put and CARRIED UNANIMOUSLY.

REASON: Panel members were satisfied that the proposal and land use are consistent with the planning framework, including Mandurah LPS12, the site zoning and the Florida Neighbourhood Centre ODP, while acknowledging differing provisions relating to the site's interface with Bailey Boulevard. Although the RAR identified building setbacks and the Bailey Boulevard interface as key concerns, largely reflecting the DRP comments, members did not support that position. Instead, members placed weight on the relevant planning, design and locational considerations, including the existing service station and future school opposite the site, and concluded that the proposal is consistent with the established Bailey Boulevard streetscape and the Florida ODP. On balance, the Panel supported the proposal, subject to conditions.

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

Cr Caroline Knight and Cr Ryan Burns (Local Government DAP Members, City of Mandurah) left the panel at 10:38am.



Clayton Higham
Presiding Member, Metro Outer DAP

PART C – CITY OF SWAN

Cr Mel Congerton and Cr Rod Henderson (Local Government DAP Members, City of Swan) joined the panel at 10:40am.

1. Declaration of Due Consideration

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

Nil

3. Form 1 DAP Applications

3.1 Lot 603 (No.274) Great Eastern Highway, Midland - Proposed Alteration and Additions to Shopping Centre – DAP/26/03108

Deputations

Murray Casselton (SLR Consulting) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

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

SUBSTANTIVE MOTION

Moved by: Cr Mel Congerton

Seconded by: Cr Rod Henderson

That the Metro-outer Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/26/03108 is appropriate for consideration as a “Shop” land use and compatible with the objectives of the zoning table in accordance with Clause No.4.3 of the City of Swan Local Planning Scheme No.17.



Clayton Higham
Presiding Member, Metro Outer DAP

- **Approve** DAP Application reference DAP/26/03108 and Accompanying Plans (Overall Site Plan; DW no.A101 Rev B Site Plan Dw. No. A102 Rev B, Enlarged Site Plan Dw. No. A103 Rev B, Level 1 Parking Dw. No. A104 Rev B, Ground Floor Play Area Dw. No. A105 Rev B, Ground Floor Dw No. A106 Rev B, Ground Floor Dw No. A107 Rev B, Ground Floor Dw. No. A108 Rev B, Ground Floor Dw. No. A109 Rev B, Ground Floor DW. No. A110 Rev B, Ground Floor DW. No. A111 Rev B, Elevations and Sections Dw. No. A112 Rev B, Façade Elevations DW. No. A113 Rev B, Façade Signage Strategy DW. No. A114 Rev B, Landscape Concept Plan Rev B in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause No.10.3 of the City of Swan Local Planning Scheme No.17, subject to the following conditions:
 - 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.
 - 2. This approval is for the use of the subject Cale Street tenancies all inclusively for “Shop” “Restaurant” and “Fast Food Outlet”.
 - 3. Within 90 days of the occupation of the first Cale Street tenancy subject of this approval the Applicant/Owner is to install those parts of the approved landscaping to the subject lot.
 - 4. Awnings shall make provision for disposal of stormwater into the existing drainage system.
 - 5. The provision of alfresco dining within the Cale Street footpath shall ensure a pedestrian clearway between the alfresco seating area and the landscaping of a minimum of 2.25 metres.
 - 6. External lighting shall comply with the requirements of AS 4282 – Control of Obtrusive Effects of Outdoor Lighting.

ADVICE NOTE:

Condition 3 pertains to the landscaping within the subject lot. For the portions of the landscaping treatment to the Cale Street verge under the City’s care, control and maintenance the applicant should liaise with the City to provide details of planting types and affirm prior acceptance of these before undertaking work.

The Substantive Motion was put and CARRIED UNANIMOUSLY.



Clayton Higham
Presiding Member, Metro Outer DAP

REASON: Panel members were satisfied that the proposal is consistent with the relevant planning framework, including the City of Swan Local Planning Scheme No. 17, the site's Midland Strategic Regional Centre zoning and the Midland Activity Centre Structure Plan – Midland Gate Precinct. The proposed tenancy modifications and increased landscaping within the existing Cale Street dining precinct retain dining opportunities, while the inclusion of awnings and signage enhances activation, ambience and pedestrian movement. It was also noted that the changes received DRP support against the SPP 7 design principles, with the landscaping and associated works identified as a considerable improvement to the current street experience. The removal of some street parking bays does not adversely affect hospitality offerings or accessibility, as the precinct forms part of the broader centre with associated parking available. Accordingly, the proposal was supported unanimously.

4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil



Clayton Higham
Presiding Member, Metro Outer 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
DR 79/2026	City of Cockburn	Lot 168 (81) Quill Way, Henderson	Mixed Commercial Development (Henderson Business Hub)	28/05/2026

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:51am.



Clayton Higham
Presiding Member, Metro Outer DAP