

# Structural changes to the WA Development Assessment Panel system

23 April 2020

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## Key issues:

- On 22 April 2020 the Minister for Planning announced structural changes to the Development Assessment Panels (**DAPs**) system, reducing the number of DAPs from nine to five.
- The structural change to five DAPs is an interim step leading to an eventual reduction in the number of DAPs to a maximum of three.
- The new five-panel configuration is set to take effect from 27 April 2020 and will consist of:
  1. City of Perth;
  2. Metro Inner-North;
  3. Metro Inner-South;
  4. Metro Outer; and
  5. Regional.

In this article we discuss the structural changes to the WA Development Assessment Panel system that are intended to deliver greater consistency in decision making.

In August 2019 the State Government released the 'Action Plan For Planning Reform' (**Action Plan**), which is designed to simplify and modernise the western Australian planning system by providing a strategic direction across the planning framework, support new ways of working to reduce unnecessary red tape, increase cooperation and create more consistency and efficiency in how the planning system operates, and ensuring that the planning system is fit for purpose and can meet the challenges of the next phase of Western Australia's (**WA**) growth with the right planning tools.

One of the key initiatives proposed in the Action Plan was the reduction in the number of DAPs from nine to 'no more than three.' The primary function of a DAP is to determine significant development applications; for example, in respect to developments proposed in a district outside the district of the City of Perth which have an estimated cost of \$10 million or more. DAP's are intended to enhance planning expertise in decision making by improving the balance between technical advice and local knowledge.

The 2018 Green Paper titled 'Modernising Western Australia's Planning System: Green Paper concepts for a strategically-led system' raised the issue of significant variation in practices between the nine DAP jurisdictions resulting in inconsistent decisions. The intention behind reducing the number of DAPs is to enhance governance standards, improve consistency and transparency in decision making.

On 22 April 2020 the Minister for Planning announced structural changes to the DAP system, reducing the number of DAPs from nine to five. This structural change is an interim step leading to a reduction in the number of DAPs eventually to a maximum of three. The new five -panel configuration is set to take effect from 27 April 2020 and will consist of:

1. City of Perth;
2. Metro Inner-North;

3. Metro Inner-South;
4. Metro Outer; and
5. Regional.

For maps on the local government areas that covered by each of the DAP regions please visit the Department of Planning, Land and Heritage website [here](#).

Under the nine DAP system each DAP consisted of three specialist members and two local government councillors. There was a pool of 48 specialist members from the planning and development sector engaged on as-needs basis; meaning that many of the specialists were engaged in other working arrangements in addition to their role as DAP member, which raised concerns regarding perceived conflicts of interest. Under this interim change, each DAP will continue to consist of five members: three specialist members with technical expertise and two local government councillors with knowledge of the local area in which the application is being considered. The specialist members will be permanently appointed to DAPs for a two year term, removing any concerns regarding perceived conflicts of interest.

While the structural change to the DAP system is intended to deliver greater consistency in decision making it is likely that with the reduction in the number of DAPs there may be a backlog in development approval decisions. Further, in respect to consistency, it will be interesting to see, over time, how that is applied to regional areas with vastly different topography, population and commercial interests. In the coming months, the State Government is due to release community guidelines and tools to explain how the DAP process will operate, which we anticipate is likely to provide further detail on how development applications will be managed under the new DAP system.

We look forward to further details on how the new DAP system will operate and will keep you updated.

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