

The Standing Committee on
Uniform Legislation and Statutes Review
Legislative Council
Parliament House
PERTH WA 6000

27th January 2015

Honourable Kate Doust MLC

Inquiry into Planning and Development (Development Assessments Panels) Regulations 2011

Thank you for the opportunity to make a submission to the Inquiry into *Planning and Development (Development Assessments Panels) Regulations*.

The Property Council of Australia is the leading advocate for Australia's property industry and the built environment. Our members represent the broad spectrum of businesses that own property, property developers, building managers and property industry service providers.

The Property Council of Australia was a strong advocate for the introduction of Development Assessment Panels (DAPs). This followed a sustained call by our members in the development industry for strong actions by the Government to reform the development assessment determination process, which was not keeping up with the demands of the growing WA economy.

Since the introduction of DAPs in Western Australia, there has been a significant improvement in the development assessment determination process and this has greatly assisted the development sector in meeting the challenges in our growing state.

The property development sector is very satisfied with the performance of DAPs. Overwhelmingly, our members in the development sector have reported that DAPs have improved the transparency, consistency and reliability of decision making, as well as the efficiency and timeliness of decision making. We have also found very high levels of satisfaction with the quality of decision making and planning conditions for development assessment through DAPs.

In the development sector, DAPs are universally regarded as the most effective policy reform in recent years that delivers good planning governance and good outcomes in the form of building and infrastructure projects. This was supported by a recent study by the Department of Finance into the Review of Residential Planning and Building Approvals Processes, which found that DAPs was one of the very few effective reforms in the recent year.

The DAP system can be further strengthened by a number of reforms.

The Property Council would support a change to processes covering minor amendments of a developer application approved by DAPs. Under s17 (1) (c) of the Regulations, an owner of land in respect of which a development approval has been granted by a DAP pursuant to a DAP application may apply for the DAP to amend an aspect of the development approved which, if amended, would not substantially change the development approved. We would propose that it would be more efficient for minor amendments to applications to be processed by local authorities without the need to reconvene a DAP meeting to consider the amendment. This change would improve the timeliness of the DAP application process and free up DAP resources.

Applicants should have the right to make verbal or written submissions to the DAP in advance of an application being considered. The presentation should allow for questions and answers concerning the application which may not be practical during the permitted site tour. This is particularly relevant for complex applications where DAP members would benefit from being more informed of the context of the application.

Applicants who have received an adverse decision by the DAP should have an avenue through which they can make verbal or written submissions to the DAP prior to reconvening a full meeting on the changes they have made to their proposal that specifically relate to amendments requested by the DAP. This would prevent DAPs being reconvened for proposals that do not address the issues which they originally raised.

We would like to reiterate that the introduction of the DAPs has been a resounding success and has been an effective and positive policy reform.

The Property Council of Australia would appreciate the opportunity to appear before the Committee to discuss the effectiveness of the DAPs since their introduction.

If you would like any further information, please feel free to contact Rebecca Douthwaite (Policy Advisor) on 94261203 or rdouthwaite@propertyoz.com.au

Yours sincerely,

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