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community
creators

UDIA ENGAGEMENT TOOLKIT

Development Assessment Panel Fact Sheet



Overview

Development Assessment Panels (DAPs) have operated in Western Australia since 2011 and are intended to enhance planning expertise in decision making by improving the balance between technical advice and local knowledge.

DAPs are an independent decision-making body, that determines certain development applications in place of previous decision makers, such as the local government authority and/or the Western Australian Planning Commission (WAPC).

Upon lodgement of a development application, local governments are required to assess DAP applications by preparing reports recommending to either approve or refuse an application, including conditions to be imposed where approval is recommended. Ultimately, the DAP is the decision maker and is responsible for determining the application and imposing suitable conditions.

Changes to the DAP system came into effect on 1 March 2024 to establish three panels, which cover all of the State, employment of full-time specialist members and removal of mandatory application thresholds to deliver a completely opt-in development assessment pathway process.

Role of Panels

The role of DAPs is to determine development applications of certain type and value threshold through consistent, accountable, and professional decision-making. Operating under Development Assessment Panel Regulations, each panel determines development applications as if it were the responsible planning authority, against the relevant planning framework. DAP Regulations state that applications considered by a panel cannot be determined by local government or the Western Australian Planning Commission (WAPC).

Since 1 March 2024, the State Government have reduced the number of panels from five to three (Metro-inner, Metro-outer and Regional) in order to deliver a more streamlined, consistent and outcomes focussed assessment process. Each panel consists of five members, comprising three specialist members and two local government councillors.



Frequently Asked questions

Why were DAPs introduced?

Development Assessment Panels (DAPs) were established in WA to help improve the planning system by providing more transparency, consistency, and reliability in decision making on complex development applications. DAP regulations identify what classes of development applications are determined by DAPs, applicants will be aware of who will be determining their application. The determination of complex applications is also improved by the involvement of experts with technical knowledge on the panel.

Are there parts of the state where DAPs do not operate?

The DAP process only applies in areas where a local planning scheme, region planning scheme or interim development order apply. Therefore, a DAP does not determine applications in areas where no scheme or interim development order is in place to regulate development control.

Additionally, development applications made in an improvement scheme are exempt from the DAP process. The DAP process will not apply in redevelopment areas that are subject to a redevelopment authority, such as:

- Armadale
- Midland
- Subiaco
- Central Perth (Including Elizabeth Quay and Perth City Link)

Will DAPs override requirements that impact the planning framework

No, the fundamental point to note is that the DAPs merely 'stand in the shoes' of the responsible authority (local government and/or WAPC) and exercise decision-making functions under any responsible authority's planning scheme and planning policies.

What types of development applications can be determined by DAPs?

Since 1 March 2024, the WAPC has removed all mandatory application thresholds making DAPs a completely opt-in process for any development above \$2 million, with standard exclusions such as single homes. Examples of applications that may be determined by a DAP include the following applications:

- All multiple and grouped dwelling developments over \$2 million
- Development by any community housing provider
- Applications delegated to the DAP by a local government or the WAPC
- Regulation 17 minor amendment applications which are applications to amend or cancel any development approval or conditions of approval, granted previously by the DAP.

Who is responsible for carrying out the preliminary assessment of a DAP application and what is the process?

DAPs are only decision-making bodies. As such, the relevant local government or the WAPC will be responsible for carrying out any preliminary assessment of the application.

Where the responsible authority is the relevant local government, it will assess the application following the process set out in the local planning scheme. This includes seeking advice on the application from referral bodies, advertising the application and reviewing public submissions (where it is required to be advertised). The local government will then prepare its Responsible Authority Report (RAR) containing its recommendations for the DAP to consider when determining the application including recommended conditions.

Where the assessing authority is the WAPC, it will also assess the application as required under the relevant region planning scheme. This includes seeking advice on the application from referral bodies and the relevant local government. The WAPC will prepare a RAR containing its recommended conditions for the DAP's review and determination.

How many members will sit on a DAP?

The regulations set out the member requirements for DAPs. Each DAP consists of five panel members:

- The Presiding Member (a specialist member with planning qualifications);
- The Deputy Presiding Member (a specialist member with planning qualifications);
- The Third Specialist Member (a specialist member with qualifications from another discipline); and
- Two Local Council representatives (from the relevant local government area).

Since 1 March 2024, the appointment of DAP panel members is now on a full-time or part-time basis.



Consultation

Public Representation

Local Council representation is a vital component of the DAP process. Local members are members of a local government council who are nominated by that local government to sit on a DAP. The relevant local government will be responsible for nominating four local government representative members from the local government's pool of elected members (councillors). Two councillors will be local members, and two deputy local members to be called on if an issue of quorum arises. The Minister is responsible for appointing the local government representatives in accordance with the local government's nomination.

DAP meetings are open to the public and any interested parties can address the meeting by submitting a Presentation Request at least 72 hours beforehand. Plans and supporting documents are released on the Department of Planning, Lands and Heritage website for the community to view and provide feedback.

Useful Links/Resources

Overview of DAPs

<https://www.wa.gov.au/organisation/department-of-planning-lands-and-heritage/development-assessment-panels>

Agendas and Minutes

<https://www.dplh.wa.gov.au/about/development-assessment-panels/daps-agendas-and-minutes>

DAP applications

<https://www.wa.gov.au/government/document-collections/current-development-assessment-panel-applications-and-information>

Frequently Asked Questions about DAP

<https://www.wa.gov.au/system/files/2021-09/DAP-FAQs-March-2021.pdf>





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