



DAP Reforms

Special Matters Development Assessment Panel

This document provides an overview of the new Special Matters Development Assessment Panel (DAP), which will deal with proposals of State or regional importance.

In July 2020, the *Planning and Development Amendment Act 2020*¹ (Amendment Act) was passed by the WA Parliament. This legislation included the establishment of a Special Matters DAP to determine projects of State or regional importance, or certain types of applications in precincts of State or regional importance.

This document provides an overview of the Special Matters DAP including:

- The criteria for proposals to be considered by the Special Matters DAP,
- The assessment, referrals and determination process, and
- The membership of the Special Matters DAP.

Feedback is now being sought to help refine the detail of this proposal

How will these changes be implemented?

The *Planning and Development (Development Assessment Panel) Regulations 2011* (DAP Regulations) provide the administrative framework for the Special Matters DAP. The DAP Regulations will be supported by a Ministerial Order/s to be published in the Government Gazette which will specify:

- The projects of State and regional importance to be determined by the Special Matters DAP
- The precincts of State and regional importance and the type of applications that will be determined by the Special Matters DAP in these areas.

It is proposed that it is mandatory for applications to be considered by the Special Matters DAP if they meet the criteria.

¹ Reference: Part 3 – *Development Assessment Panels of the Amendment Act.*

What is the proposed project criteria and construction value threshold for the Special Matters DAP?

Table 1 includes the proposed criteria for projects of State or regional importance. Proposals must meet the project criteria and construction value threshold to be eligible for the Special Matters DAP pathway.

What is the proposed precincts criteria for the Special Matters DAP?

The Special Matters DAP can also consider certain types of application in precincts of State and regional importance. These precincts are likely to be areas of high development pressure and/or precincts where development is of importance to the wider region or State. Some examples are outlined in **Table 2** and shown in **Figures 1 to 6** via indicative mapping.

Precinct criteria will apply in addition to the project criteria. That is, proposals must be in a specified precinct and meet the specified criteria to be eligible for the Special Matters DAP pathway.

Which developments are excluded from the Special Matters DAP?

The current exclusions from the DAP system will apply to Special Matters DAP applications. In addition, developments wholly on reserved land under a region planning scheme and development applications for public work will also be exempt. Decision making powers will be returned to the Western Australian Planning Commission (WAPC), or delegated officer, in accordance with Section 16 of the *Planning and Development Act 2005* (PD Act).

Reference: r.3 definition for 'excluded development application', r.5 and r5A of the DAP Regulations.

Table 1: Project criteria for the Special Matters DAP

Project criteria	Value Threshold	
	Within Perth and Peel Region Scheme areas	Outside Perth and Peel Region Scheme areas
State significant proposals under the Lead Agency Framework	No minimum threshold	No minimum threshold
Resource projects – renewable energy	\$50m	\$30m
Non-residential developments – greater than 20,000 m ² net leasable area (NLA) (where there is no Structure Plan in place)		
Multiple dwellings – greater than 100 dwellings		
Private hospitals or educational establishments		
Ports, marinas and airports		

Table 2: Precinct criteria for the Special Matters DAP

Precinct area	Criteria	
	Multiple dwellings	Net Lettable Area
Perth Central Business District (CBD)	51 or more dwellings	Commercial development greater than 5,000m ² NLA
South Perth Peninsula	21 or more dwellings	Commercial development greater than 3,000m ² NLA
Stirling Highway – Winthrop Avenue to Loch Street		
Cockburn Central		
Canning Bridge Activity Centre Plan (ACP) area		
Cottesloe foreshore	10 or more dwellings	
METRONET station precincts		

What is the process for assessment, referral and determination?

The following processes are proposed:

- The WAPC, supported by the Department of Planning, Lands and Heritage (DPLH), will be responsible for assessing applications within the relevant planning framework. This will include all processes associated with assessment (lodgement, advertising, referrals etc).
- The statutory timeframe for processing Special Matters DAP applications will be 120 (calendar) days.
- The WAPC will be responsible for the coordination of referrals to State agencies and local governments.
- Local governments will be provided 60 days to comment on Special Matters DAP applications. Comments received from local government will be given due regard in the decision making process.
- Following the determination of an application, local governments will be responsible for the clearance and compliance of conditions.

What is the proposed membership of the Special Matters DAP?

It is proposed the Minister for Planning will appoint seven Special Matters DAP members (and a deputy for each), comprising of the following:

1. Presiding Member, from a list of people nominated by the WAPC.
2. Local Government Representative, from a list of people nominated by the WA Local Government Association (WALGA).
3. Architect, from a list of people nominated by the Australian Institute of Architects (AIA).
4. A person nominated by the Chief Executive Officer (CEO) of the Environmental Protection Authority (EPA).
5. Urban and Regional Planner, from a list of people nominated by the Planning Institute of Australia (PIA).
6. A person nominated by the Director General of the Department of Transport.
7. A person with experience in property economics, commerce and industry, business management, financial management, engineering, surveying, valuation or transport.

Figure 1: Perth Central Business District Precinct Area (Indicative Only)



Figure 2: South Perth Peninsula Precinct Area (Indicative Only)



Figure 4: Cockburn Central Precinct Area (Indicative Only)

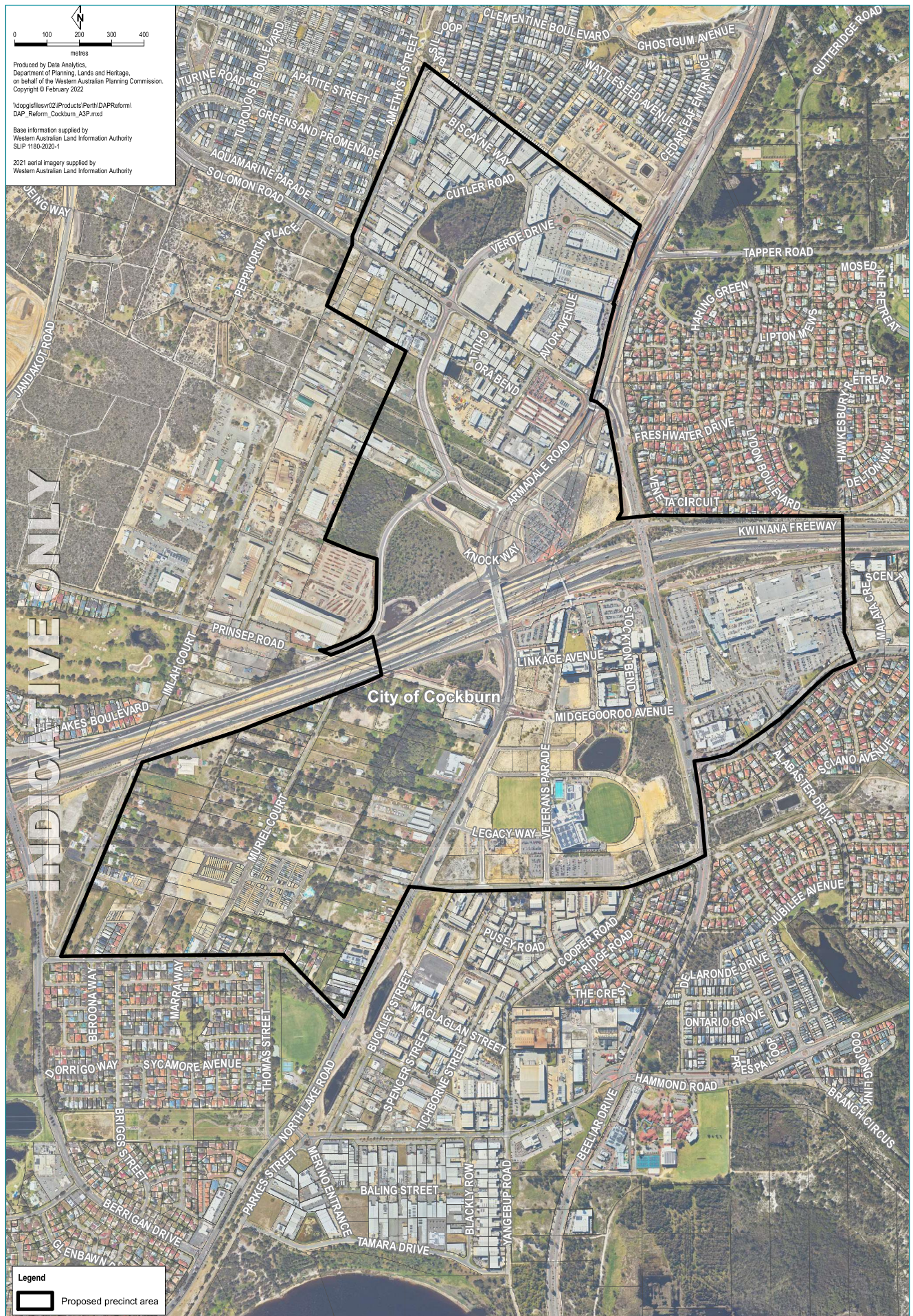


Figure 5: Stirling Highway (Indicative Only)

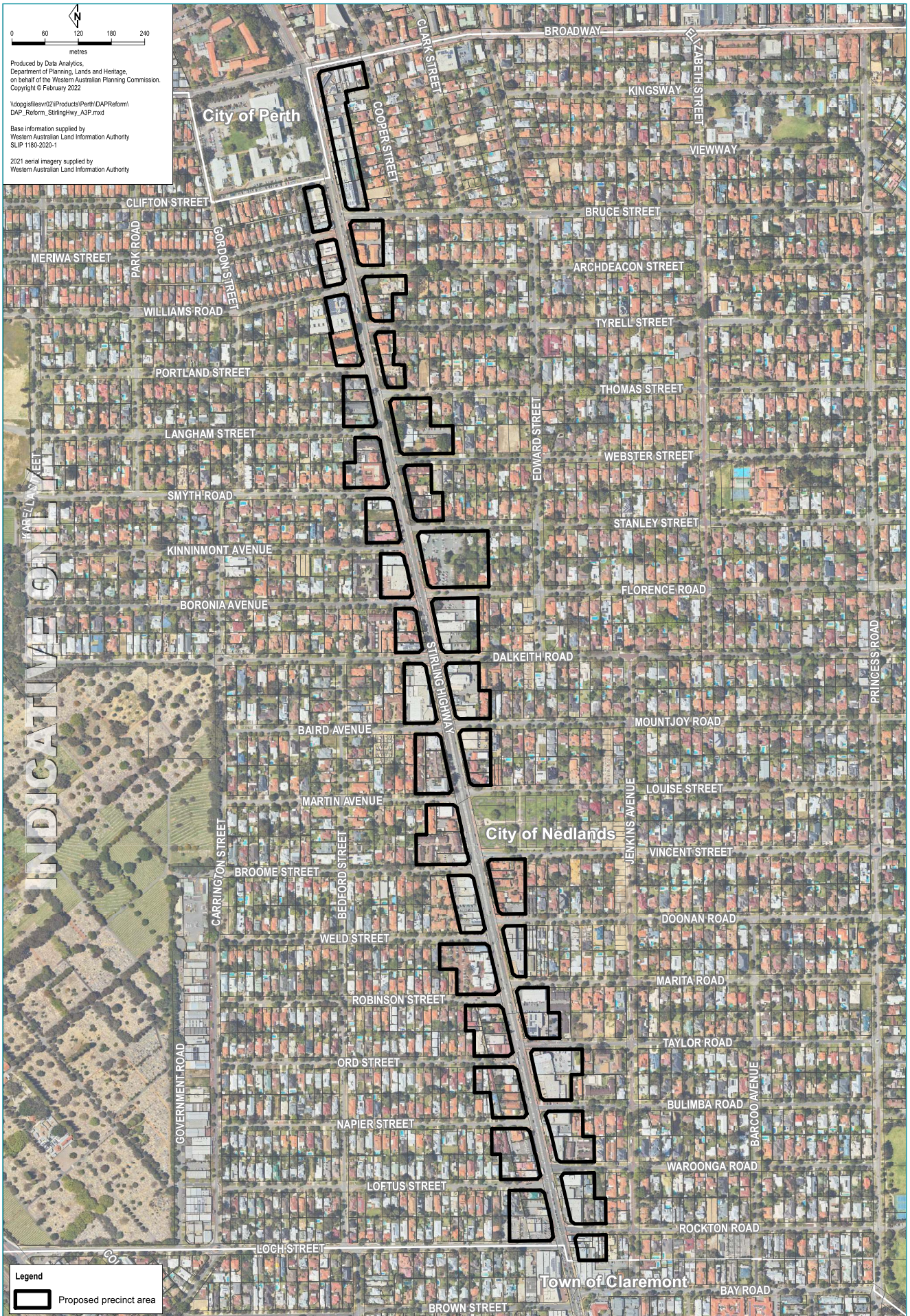
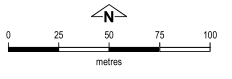


Figure 6: Cottesloe Foreshore Precinct Area (Indicative Only)



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 Base information supplied by
 Western Australian Land Information Authority
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 2021 aerial imagery supplied by
 Western Australian Land Information Authority

INDICATIVE ONLY

Legend
 Proposed precinct area