

## FLYING MINUTE: WALGA Submission to the Select Committee into Land Development and Planning in Western Australia

*By Coralie Claudio, Senior Policy Advisor, Planning*

### WALGA RECOMMENDATION

**That State Council endorse the submission to the Select Committee into Land Development and Planning in Western Australia.**

**RESOLUTION 255.FM/2025**

**CARRIED**

### EXECUTIVE SUMMARY

- A Select Committee into WA Land Development and Planning has been established to inquire into matters relating to land planning, transactions and development in Western Australia.
- WALGA has developed a Submission informed by relevant planning advocacy positions, [data collection projects](#) and sector feedback.
- The Submission emphasises the critical role Local Government plays in the planning system, and highlights concerns over the erosion of Local Government decision making powers by bodies such as Development Assessment Panels (DAPs) and the state significant development pathways (SDPs).
- The Submission calls for a recalibration of the planning system that restores the essential role of Local Government, ensures transparency and accountability in State decision-making, and prioritises reforms that are evidence-based and developed in genuine partnership with the Local Government sector.
- The Submission was endorsed by the Environment Policy Team at its meeting on 5 November.
- WALGA was granted an extension for the Submission to 14 November.

### ATTACHMENT

- WALGA's submission to the Select Committee into Land Development and Planning in Western Australia.

### POLICY IMPLICATIONS

WALGA's submission is consistent with WALGA [Advocacy Positions](#): 6.1 Planning Principles and Reform and 6.4 State Development Applications and Decision Making.

### BACKGROUND

On 13 August 2025, the [Select Committee into Land Development and Planning in Western Australia](#) was established. The Committee has established a 12-month inquiry into matters relating to land planning, transactions and development in Western Australia. On 2 October, WALGA received a letter from the Committee Chair, Hon Neil Thomson MLC, inviting WALGA to make a submission.

The Terms of Reference (ToR) for the Committee states:

*That the Select Committee inquire into and report on matters relating to land use planning, land transactions, and development in Western Australia, with particular*

*regard to the optimality, efficiency, integrity, and probity of decisions made by the State and state agencies.*

The full Terms of Reference can be viewed [here](#). WALGA's Submission primarily focused on element (a) of the ToR, that states:

- a) *in relation to land use planning decisions, the extent to which such decisions align with established local planning schemes, strategies, policies, and frameworks, particularly where made by the Western Australian Planning Commission or Development Assessment Panels, including but not limited to decisions made under the so-called Significant Development Pathway;*

WALGA requested, and was granted, an extension for its submission to 14 November.

### **COMMENT**

The Select Committee Inquiry provides an important opportunity to highlight current issues with State Government development approval pathways and provide information and commentary on the optimality, efficiency, integrity, and probity of planning decisions made by the State Government and agencies.

WALGA's Submission predominantly focuses on element (a) of the Inquiry's ToR, outlining WALGA's concerns regarding the increasing centralisation of planning powers by the State Government, particularly through the expansion of the SDPs and reforms to the DAP system. These changes have progressively eroded the role of Local Government in development assessment, despite the sector's demonstrated capacity to deliver efficient, transparent and community-responsive planning outcomes.

The Submission advocates that planning decisions should be made by the level of government closest to and most impacted by a proposal. It calls for the recalibration of the planning system to restore the role of Local Government, increase transparency and accountability in State decision-making, and prioritises reforms that are evidence-based and developed in genuine partnership with the Local Government sector.

The Submission draws from WALGA's extensive research and data analysis of state and local development assessment pathways over the past 14 years, direct engagement with the Local Government sector and WALGA's advocacy positions, specifically 6.1 Planning Principles and Reform and 6.4 State Development Applications and Decision Making.

The submission was endorsed by the Environment Policy Team at its meeting on 5 November.

## FLYING MINUTE OUTCOME

Poll created: 06/11/2025 at 12:00

Poll closed: 13/11/2025 at 17:00

First Name	Last Name	Completed Date
Chris	Antonio	7/11/2025 13:07
Phillip	Blight	11/11/2025 7:17
Laurene	Bonza	13/11/2025 6:29
Scott	Crosby	9/11/2025 6:44
Tony	Dean	6/11/2025 21:05
Michael	Dudek	No response.
Patrick	Hall	10/11/2025 17:26
Logan	Howlett JP	No response.
Lewis	Hutton	No response.
Paul	Kelly	12/11/2025 22:03
Caroline	Knight	No response.
Terresa	Lynes	10/11/2025 15:28
Paige	McNeil	8/11/2025 7:35
Wendy	McWhirter-Brooks	8/11/2025 23:35
Haeden	Miles	No response.
Chris	Mitchell JP	No response.
Les	Price	7/11/2025 14:53
Helen	Sadler	11/11/2025 10:42
Eddie	Smith	No response.
Bronwyn	Smith	9/11/2025 10:12
Stephen	Strange	10/11/2025 9:28
Liz	Sudlow	No response.
Karen	Wheatland	6/11/2025 15:11
Barry	Winmar	6/11/2025 12:06

### The submission was endorsed.

*Following feedback from State Councillors through the Flying Agenda process, the following changes were made:*

- *Updates to 'Other State Government Decision Maker' section that addressed the following:*
  - *Coordination of State Government agencies and infrastructure; and*
  - *Concerns with the recent State Development Bill 2025.*

*Additional commentary has also been included in the Local Government Performance Monitoring section regarding the processing timeframes for Local planning instruments, including strategies and schemes, and the State's role in these processes.*

# Select Committee Inquiry into Land Development and Planning in Western Australia – WALGA Submission

## Introduction

The Western Australian Local Government Association (WALGA) is an independent, member-based, not for profit organisation representing and supporting the WA Local Government sector. Our membership includes all 139 Local Governments in the State.

WALGA uses its influence, support and expertise to deliver better outcomes for WA Local Governments and their communities. We do this through effective advocacy to all levels of Government on behalf of our members, and by the provision of expert advice, services and support to Local Governments.

WALGA's vision is for **agile and inclusive Local Governments enhancing community wellbeing and enabling economic prosperity**.

WALGA welcomes the opportunity to provide a submission to the Select Committee Inquiry into Land Development and Planning in Western Australia. WALGA's submission provides information and commentary on the optimality, efficiency, integrity, and probity of planning decisions made by the State Government and agencies and predominantly focuses on element (a) of the Inquiry's terms of reference.

This submission outlines WALGA's concerns regarding the increasing centralisation of planning powers by the State Government, particularly their role in development assessment, through the expansion of State Significant Development pathways (SDPs) and reforms to the Development Assessment Panel (DAP) system. These changes have progressively eroded the role of Local Government in development assessment, despite the sector's demonstrated capacity to deliver efficient, transparent and community-responsive planning outcomes.

WALGA strongly advocates for planning decisions to be made by the level of government closest to and most impacted by a proposal. The submission calls for a recalibration of the planning system that restores the essential role of Local Government, ensures transparency and accountability in State decision-making, and prioritises reforms that are evidence-based and developed in genuine partnership with the Local Government sector.

The information provided in this submission has been drawn from extensive research and data analysis of state and local development assessment pathways over the past 14 years, direct engagement with the Local Government sector and



the WALGA's advocacy positions listed below. WALGA would welcome the opportunity to discuss any of these findings with the Committee.

### **6.1 Planning Principles and Reform Position Statement**

1. *The Local Government sector supports an efficient and effective planning system guided by legislation, policy, and processes that:*
  - a. *facilitates the creation of sustainable and liveable communities and places;*
  - b. *has a focus on strategic planning that delivers on long-term objectives and outcomes that balance social, environmental, cultural, and economic interests;*
  - c. *is easy to understand, accessible and transparent;*
  - d. *recognises the diversity of Western Australia and ensures that local environment, context, communities and character are appropriately reflected in planning frameworks and decision making;*
  - e. *ensures decisions are made by the level of government closest to and most impacted by a planning proposal; and*
  - f. *establishes consistent planning frameworks and streamlines planning processes where there is a demonstrated benefit in doing so.*
2. *Reforms to the planning system should:*
  - a. *be guided by the above principles;*
  - b. *deliver community benefit;*
  - c. *promote system efficiency, including through the use of technology;*
  - d. *be evidence-based and informed by robust, transparent data;*
  - e. *proceed at an appropriate pace to enable effective implementation;*
  - f. *be informed by engagement with the community; and*
  - g. *be amended only with WALGA involvement and consultation/involvement with Local Government.*

### **6.4 State Development Applications and Decision Making**

*WALGA calls on the State Government to:*

1. *Ensure that decision making on development applications (DAs) is:*
  - a. *consistent and accountable*
  - b. *accessible to local communities*
  - c. *respectful of, and appropriately applies, local planning frameworks in line with their statutory weight, as informed by objective, professional planning reports.*
2. *Reform the Development Assessment Panel (DAP) system to:*
  - a. *raise the DAP threshold from the current \$2 million to \$5 million and mandate periodic reviews of the threshold*
  - b. *modify the composition of DAPs to provide equal representation of Specialist Members and Local Government Members*
  - c. *review DAP processes to ensure proponents provide necessary information in a timely manner*



systems are consistent and efficient. In recent years these aims have been expanded to support housing delivery and economic recovery.

Major initiatives include the introduction of SDPs, reforms to the DAP system and changes to Council authorisations that mandate certain decisions are delegated to the Local Government administration rather than Council. These reforms have incrementally eroded Local Government's role in the planning system and in WALGA's view, have not delivered on their stated objectives. This shift has occurred without a clear evidence base and risks undermining the planning system's responsiveness to local context and community expectations.

Despite the significant curtailing of Local Governments role in the planning system over the past several years, the sector still processes and determines the vast majority of development applications (DAs), forming the backbone of the planning system. It is clear from WALGA's reporting that without Local Government involvement the planning system would not function effectively and economic development and growth in the State would be severely impacted.

WALGA has consistently opposed DAPs and the SDPs and changes that remove Local Governments' autonomy in determining their own level of authorisations. At the time of the establishment of the DAP system in 2011 WALGA noted that there was limited data or evidence to justify the removal of Local Government planning powers and subsequently called for a comprehensive review of DAPs; this never occurred.

Against this background – the growing centralisation of planning functions, and the effectiveness and efficiency and transparency of these new decision-making processes – WALGA welcomes and strongly supports this Inquiry.

## WALGA's data collection

Since the introduction of DAPs in 2011, WALGA has been collecting and reporting data on various State and Local Government planning functions. This includes analysis of the three main development approval pathways: SDPs, both Parts 11B and 17 of the *Planning and Development Act 2005* determined by the WAPC, DAPs, and determinations by Local Governments.

In addition, WALGA gathers comprehensive data on Local Government planning and building regulatory functions through the Local Government Performance Monitoring Project. This encompasses information on local planning processes that require State Government agencies consideration and decision making.

WALGA also conducts targeted data collection for specific projects, such as the Council Determined Development Applications Report, to assess the need for and effectiveness of specific State Government planning reform initiatives.



WALGA's long-term data collection provides a robust evidence base that highlights the critical role Local Governments play in maintaining an efficient and accountable planning system—contrasting with the limited transparency of State-led pathways.

Key findings from the data include:

- Local Governments continue to process the vast majority of DAs in WA.
- Local Governments consistently approve approximately 99 per cent of all DAs.
- The SDPs have been used infrequently, have not demonstrably improved efficiency, and have facilitated approvals that conflict with local planning frameworks.
- The Part 17 pathway averaged 466 days per application, with over half of approved developments yet to commence construction.
- The Part 11B pathway has had negligible impact on housing supply, contributing only 0.01% of total dwellings approved in WA since its inception until the 31 August 2025.
- DAPs increasingly determine low-value applications, with declining alignment to Responsible Authority Reports.

## State Development Approval Pathways

In 2025, WALGA released the [Significant Development Pathway 2020 – 2025 Review Report](#), which examines the operation and performance of the SDPs using data from all SDP decisions and current applications since the commencement of the pathway in 2020 until 1 April 2025. At that time, a total of 44 SDP proposals had been determined - 43 under Part 17 and one under Part 11B (the permanent pathway).

The data in this report was collated from information contained in the meeting minutes and agendas of the WAPC and Statutory Planning Committee (SPC) meetings held between 2020 and 1 April 2025, and the application status of all SDP applications. This information was sourced from Department of Planning, Lands and Heritage (DPLH)'s website, with some data directly provided by DPLH. Data collected for this report, and the subsequent analysis relates to individual determinations.

WALGA has continued to collect data related to decisions made after 1 April 2025 up until 1 October 2025.

The two pathways are explained, and the performance of these pathways are discussed below.

### Part 17



In 2020 the State Government, via the Planning and Development Amendment Bill 2020 (2020 Bill), introduced a new temporary approval pathway (Part 17) for significant developments that bypassed both DAPs and Local Government assessment pathways, with the stated aim of streamlining significant development proposals and stimulating economic development to assist in COVID-19 recovery.

The pathway was originally proposed for 'significant developments' of \$30 million or more, involving residential development of 100 or more dwellings, or commercial development with the total net lettable area of 20,000 m<sup>2</sup> or more.<sup>1</sup> However, the 2020 Bill was passed with an amended definition of 'significant development', being developments that met a minimum monetary threshold of \$20 million in the metropolitan area and \$5 million in regional areas.

Part 17 applications are assessed by the State Development Assessment Unit (SDAU) within DPLH, instead of the Local Government, and determined by the WAPC, instead of the Local Government or a DAP.

The Part 17 pathway has no statutory assessment timeframes. Developments were required to have 'due regard' and are not bound by statutory planning instruments and controls (e.g. land use permissibility, height controls, floor space ratio, etc.) in the same manner as development determined by other decision makers.

The pathway closed to new applications on 29 December 2023 but remains open to applications to amend approved developments and process clearances of conditions of approval.

Key findings of the pathway (as of 1 October 2025):

- 46 DAs have been determined through this pathway
- the average time to determine a DA was 466 days.
- all 46 DAs were approved
- 44 DAs were recommended for approval.
  - There were two instances where the SDAU provided the WAPC the option of refusing or approving the DA with conditions. In both cases the WAPC chose to approve with conditions.
- Local Governments broadly supported only 28% of DAs
- there are 11 undetermined DAs, which have been in the system since at least December 2023
- the mixed-use development category recorded the highest proportion of DAs, at 46% (21 DAs)
- the cost of development through the pathway varies significantly, with 48% of DAs being in the \$20m - \$50m cost bracket.
- six determined DA's have completed construction (13.6%), another 3 DAs related to developments that were already constructed and operating (6.8

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<sup>1</sup> [Planning and Development Amendment Bill 2020 Explanatory Memorandum presented In Legislative Assembly](#)



per cent), 11 DAs have commenced works (25.0 per cent) and 24 which have not commenced (54.6 per cent).<sup>2</sup>

- the total value of DAs determined by the significant development pathway in 2023-24 was \$930.9 million. By comparison, the DAP system and Local Government approved DAs valued at a total of \$8.91 billion and \$7.08 billion, respectively.
- importantly, DAPs remained the preferred pathway for complex proposals, determining 85.85 per cent of DAs over \$20 million until the end of 2023-24.

WALGA strongly opposed the introduction of the Part 17 pathway, noting that these applications were not bound by local planning frameworks and the diminishment of the role of Local Government to provide a valuable community perspective on planning proposals.

Part 17 DAs are not subject to a statutory timeframe, despite a key intent of the pathway being to streamline and expedite the approval process, resulting in excessive timeframes to process DAs as outlined above.

Although the pathway could consider 'controversial' developments that vary planning frameworks and therefore may take longer to process and determine applications, the processing days are still significantly higher than the 120-day timeframe that has been introduced for Part 11B DAs. The timeframes are also excessive when compared to the DAP average timeframes for DAs, which sat at 149 and 151 days for 2023-24 and 2024-25, respectively.

When comparing the number of determined and total value of DAs with the DAP and Local Government pathway, it is evident that the Part 17 has been used sparingly, generating significantly less value than suggested during its establishment. Further it is reasonable to conclude that the Part 17 had limited impact on the State's COVID-19 economic recovery, considering the small number of determined DAs, the lengthy timeframes for their determination, the total value of DAs, and that over half of these DAs have not commenced construction, even five years post COVID-19.

These outcomes highlight the disconnect between the pathway's intended purpose and its actual performance, reinforcing WALGA's position that Local Governments are better placed to assess development proposals efficiently and with community input.

Regarding the rate of alignment between Local Government, the SDAU and the WAPC, there are two distinguishable trends. The WAPC has approved all determined DAs and for almost all DAs the SDAU has recommended approval.

The Local Government referral process and the nuance of Local Government comments make it difficult to definitively determine the level of Local Government support or objection to DAs. Regardless, Local Governments broadly supported only approximately 30% of DAs through this pathway. By comparison, Local

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<sup>2</sup> Data from the 1 April 2025: [Significant Development Pathway Report](#)

Governments supported approximately 90 per cent of DAP applications and approximately 99 per cent of all DAs determined by Local Governments are approved.<sup>3</sup>

Local Government's concerns often relate to the broad discretion applicable to Part 17 DAs that can vary the planning framework beyond what could be contemplated through other assessment pathways, such as approving prohibited land uses and over height developments, and endorsing proposals that pre-empt future updates to local planning instruments—ultimately undermining the principles of orderly and proper planning. This raises concerns with the impacts of these decisions on local communities and contributes to a decline in public confidence in the planning system. Examples of this are listed below:

1. The proposal for 167 and 169 Bank Street, East Victoria Park involves an 18-storey mixed-use development comprising 85 dwellings on land currently zoned Industrial. Under existing planning provisions, multiple dwellings are not permitted ('X' use), and the proposal significantly exceeds allowable height and plot ratio limits. Although strategic planning documents suggest a future shift toward urban uses, the site's industrial designation was to be retained in the short to medium term, raising concerns the proposal was premature and inconsistent the orderly and proper planning.
2. A mixed-use development was proposed at 7–11 Station Street, Cottesloe, featuring a 17-storey building with 125 apartments, a 128-room hotel, commercial spaces, and basement parking. The proposal exceeded the allowable building height and plot ratio under current local planning instruments and State Design Review Panel did not support the design, citing concerns that its bulk and scale were not suitably responsive to the surrounding local context. The proposal drew substantial community opposition, with 537 objections—around 70% of all submissions.

WALGA's analysis of Part 17 reveals that it is used infrequently and, contrary to its stated benefits, does not process applications more efficiently than Local Governments and, to date, has had limited impact on the State's economic recovery from COVID-19, especially compared to the Local Government and DAP pathways. For these reasons WALGA strongly opposed the establishment of a permanent version of Part 17, through the Planning and Development Amendment Bill 2023.

## Part 11B

In 2023 the State Government announced major planning reforms that included the introduction of a permanent SDP, through the creation of Part 11B of the Act, via the Planning and Development Amendment Bill 2023.

The Part 11B Pathway was intended to create a 'streamlined, efficient and coordinated pathway for complex proposals' and formed part of broader changes to the planning system that would boost housing supply.

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<sup>3</sup> [WALGA's Local Government Performance Monitoring Project and DAP Monitoring Dashboard](#)

The pathway became operational on 1 March 2024. Part 11B applications are still processed by the SDAU but are determined by the SPC, a committee of the WAPC. Part 11B retains the ability developments to ignore local planning frameworks but specifies the circumstances in which this can occur. A 120-day statutory timeframe for applications and a mandatory pre-lodgement meeting were also introduced as part of the reforms.

WALGA has collected data on all Part 11B applications up until the 1 October 2025. Key findings are listed below:

- 13 DAs have been determined through this pathway
- the average time to determine a DA was 165 days
- all DAs were determined within the 120-day statutory timeframe (with agreed extensions)
- all DAs were approved by SPC
- all DAs were recommended for approval by the SDAU
- Local Government broadly supported only 23% of DAs
- Six DAs (46%) were determined with the use of extraordinary discretion (the application was determined in a manner that conflicts with the applicable planning instrument in accordance with s.171R(1) of the *Planning and Development Act 2005*)
- the average cost of development varies significantly, with 53% of DAs being in the \$20m - \$50m cost bracket
- the mixed-use development and residential development categories recorded the highest proportion of determined DAs, at 77% (5 DAs per category)
- the approved developments included a total of 295 multiple dwellings, 446 student accommodation rooms and 24 independent living units
- DAPs remained the preferred pathway for complex proposals, determining 80% (52 DAs) of DAs over \$20 million in the 2024-25.

WALGA opposes the Part 11B Pathway for similar reasons to Part 17 but acknowledges that variations to local planning schemes can now only occur in specific circumstances, supported by a clear and transparent framework for WAPC decision-making. Additionally, WALGA noted that the introduction of a 60-day Local Government referral timeframe, a 28-day public consultation period, and defined parameters for varying local planning frameworks will likely enhance the ability of local communities and governments to influence planning outcome.

The Part 11B pathway has been operational since March 2024; however, the first DA was not determined until a year later. As of 1 October 2025, only 13 DAs have been determined under this pathway, indicating limited uptake—similar to the Part 17 pathway.

In 2024-25, WALGA undertook a comparison of determined DAs under both Part 11B and Part 17 with those processed via the DAP pathway. This highlighted that the DAP system continues to be the preferred pathway for complex proposals. For

DAs valued over \$20 million only 20% (13 applications) were assessed under both the SDPs. This analysis excludes any DAs determined via the Local Government pathway, given the DAPs became a completely opt-in pathway from March 2024 onward.

The introduction of a 120-day statutory timeframe for Part 11B is critical to ensure applications are processed in a streamlined and efficient manner, as per the pathways intended aims. It is encouraging that all 13 determined DAs have been processed within the statutory timeframe (with agreed extensions) and that SDP reports clearly and transparently records processing days.

However, in contrast, applications assessed through the DAP or Local Government pathways are subject to a shorter 90-day statutory timeframe. Part 11B DAs are also required to undertake a mandatory pre-lodgement process. This additional step should reduce the need for additional time to assess and determine the proposal, and the need for formal requests for further Information following the planning assessment, as most significant matters can be dealt with ahead of formal lodgement.

Given that both the DAP and Part 11B pathways are currently optional, and the majority of complex DAs are processed by the DAP pathway, it is reasonable to expect greater consistency in statutory timeframes across all three pathways.

Entry to the Part 11B pathway remains a monetary threshold of \$20 million in the metropolitan area and \$5 million in regional areas. This cost entry threshold is too low and should be set at an appropriate level to capture projects that are of genuine State significance, particularly in the context of rising construction costs.

Arguably, the pathway has processed several DAs that do not meet a reasonable definition of significant developments. This includes Motor Vehicle Showroom and Workshops within the City of Swan valued at \$23.1 million and 9 Multiple dwellings in Town of Claremont valued at \$25.8 million. The land uses and scale of these developments are not considered to be of social, economic and environmental importance to the State or a region and should have been processed through the Local Government or DAP pathway.

Concerningly, it appears some DAs are selecting the SDP pathway simply because their proposed developments conflict with applicable planning instruments and cannot be approved through other pathways. In some cases, proposals are submitted ahead of finalising statutory planning processes—such as scheme amendments or structure plans—suggesting an attempt to circumvent proper planning procedures.

While a Part 11B application, in contrast to Part 17, is bound by local planning instruments, it still can determine DAs in a manner that conflicts with applicable local planning instruments. Almost half the DAs approved by the pathway have used this extraordinary discretion, including developments mentioned above that are arguably not state significant developments.

Decisions made through the other development pathways under local planning schemes must consider a wide range of matters outlined in Clause 67(2) of the Deemed Provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*, supported by the WAPC's *Development Application Exercise of Discretion Guidelines*.

WALGA considers that similar parameters and guidelines should be developed and applied to Part 11B DAs, ensuring the SPC holistically consider the entire local planning framework when determining proposals, such as relevant local planning scheme amendments or structure plans, and not just the age of the local planning scheme. Similar to Part 17 DAs and unlike DAPs, Local Governments are only a referral agency of Part 11B DAs.

The referral process and the nuance of Local Government comments make it difficult to definitively determine the level of support or objection to a Part 11B DA. Regardless, WALGA's analysis indicates that Local Governments broadly supported approximately 23% of these applications.

All Part 11B DAs to date have been recommended for approval by SDAU and approved by SPC. This raises concerns about the impacts of approved DAs on local communities, specifically in relation to proposals that do not align with local planning frameworks and serves to diminish public trust in the planning process. However, recent decisions by the WAPC and SPC to hold meetings for Part 17 and Part 11B proposals in proximity to the development site have been positive and provide the community with an opportunity to access and observe decision making processes.

One of the stated aims of Part 11B pathway is to assist with increasing housing supply to support the National Planning Reform Blueprint.<sup>4</sup> However this impact has been limited, as only 13 Part 11B DAs have been approved despite this pathway being operational since 1 March 2024.

Eight DAs (61%) approved through this pathway include a residential component, comprising of 295 multiple dwellings, 446 student accommodation rooms and 24 independent living units.

The total number of dwellings approved in WA since March 2024, when the Part 11B became operational, until the 31 August 2025 is 34,023 dwellings.<sup>5</sup> The 295 multiple dwellings and 24 independent living units approved through Part 11B equates to just 0.01 per cent of the total dwellings in WA over this period.<sup>6</sup> It is therefore reasonable to conclude that the Part 11B pathway has had no discernible positive impact on housing supply in Western Australia to date.

The pathway's limited contribution to housing supply and its approval of developments that conflict with local planning frameworks further erodes

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<sup>4</sup> [National Planning Reform Blueprint | Treasury.gov.au](https://www.treasury.gov.au/nprb)

<sup>5</sup> [ABS data: Building Permit approvals](#)

<sup>6</sup> Purpose built student accommodation is not included in ABS dwelling data

community trust and underscores the need for decisions to be made by the level of government closest to the community.

WALGA's position is that Part 11B should be abolished because it is being used infrequently, has not demonstrated improved efficiency, and approves developments that depart from local planning frameworks – undermining community trust in statutory planning processes and the planning system in general.

However, should the pathway be retained, WALGA proposes the following changes to ensure it processes genuine state significant projects and operates in an efficient, transparent, and accountable manner:

1. raise the cost threshold to \$50 million and mandate periodic reviews of the threshold
2. align statutory timeframes with DAP and Local Government determined DAs
3. ensure all developments are consistent with applicable local planning instruments and provide comprehensive guidelines for discretionary decision making, including applying extraordinary discretion
4. delete references to 'mandatory significant development' to ensure the pathway remains entirely opt-in
5. undertake periodic reviews of its operation and effectiveness.
6. Include in any planning report to a decision making:
  - a. The value of any direct financial benefit received by the applicant associated with the granting of development bonuses through a performance-based assessment.
  - b. the value of any community benefit proposed in exchange for consideration of development bonus.

## Development Assessment Panels

The DAP system was established in 2011 with the intention of creating a more streamlined planning assessment process and to establish a better balance between professional advice and community representation for significant development proposals. Subsequent amendments to improve the DAP system were undertaken in 2013, 2015, 2016, 2020 and 2024.

Since 2016, WALGA has undertaken periodic reviews of the decision-making of DAPs to assess their ability to deliver on the above objectives. WALGA has prepared three reports on the performance of the DAP system, with the most recent released in 2025. WALGA also provides an interactive DAP Decision Dashboard that allows real time analysis and review of the performance of DAPs.

WALGA has collected information from the meeting agendas and minutes of all DAP meetings from July 1, 2024, to June 3, 2025 - approximately 2,800 decisions. Data has been collected consistently, although the reporting methods by the DAP Secretariat and responsible authorities have varied over the years.

Information on the Project and copies of the Reports and Dashboard can be found on the WALGA website, [here](#).

WALGA's latest data finds:

- DAPs determined an average of 221 DAs per year between the 2020-21 and 2024-25
- a total of 229 DAs and 294 applications were determined by DAPs in 2024-25
- the average time taken for a DAP to determine a DA was 149 days and 152 days in the 2023-24 and 2024-25 respectively, the longest timeframes on record
- approximately 75 per cent of DAP applications between 2020-21 and 2022-23 were determined in the statutory timeframe; this dropped to 66.8 per cent in the 2023-24<sup>7</sup>
- between 2020-21 and 2024-25, 86.7 per cent of DAs were approved, 8.1 per cent were refused, and 5.2 per cent were deferred
- In 2024-25, these rates were 89.7 per cent approved, 4.5 per cent refused, and 5.8 per cent deferred
- approximately 90 per cent of DAs determined by DAP align with the Responsible Authority Report (RAR) recommendation between 2020-21 and 2023-24, dropping to 83 per cent in 2024-25
- an average 42.2 per cent of DAs had a project value of less than \$5 million between 2020-21 and 2024-25, including 44% of DAs in 2024-25
- between 2020-21 and 2024-25, the most common development categories were community (25 per cent), commercial (20.1 per cent), mixed use (13.4 per cent) and residential (12 per cent).

WALGA has historically opposed DAPs and has recommended changes to the DAP system to ensure it operates in an efficient, effective, and transparent way, and appropriately considers matters of local planning context in decision-making. WALGA welcomed the DAP reforms that commenced on 1 March 2024 that removed the mandatory monetary thresholds, allowing applicants to choose whether to go the DAP pathway or through a Local Government to obtain an approval.

Since the introduction of the DAP system in 2011, the average processing time for DAs has generally increased. Over the past five years, this upward trend appears to have stabilised, with the current average processing time for a DA sitting at 152 days. While this represents only a slight increase in recent years, it is still double the average recorded in the system's first year and marks the highest processing time to date.

Transparent, consistent and reliable decision-making on complex DAs were the key aims of the DAP system when introduced. Approval rates for DAP decisions have

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<sup>7</sup> Department of Planning, Lands and Heritage Annual Report 2023-24

improved over the last five years, with a notable decrease in the rate of refusal for DAs by DAPs, down from 10 percent in the previous 2020 report to 4.5 per cent in 2024-25. This is the equal lowest ever percentage for this measure since the inception of DAPs. Rates of DA deferrals have also dropped in 2024-25 to below 6 per cent.

While DA approval rates have increased, they still do not compare to the rate at which Local Governments approve DAs. WALGA's Local Government Performance Monitoring Report shows that approximately 99 per cent of all DAs determined by Local Governments are approved, acknowledging this doesn't have a cost entry threshold.<sup>8</sup>

While the final decision of a DAP is important, the alignment between the RAR recommendation and the final DAP decision is another important indicator as to the effectiveness and efficiency of the DAPs system. The rate of alignment for DAs with RAR recommendations has remained consistent over the last decade at approximately 90 per cent.

However, while DAP approval rates peaked to its highest in 2024-25, by comparison the rate of alignment between the RAR recommendation and final DAP decision was at its lowest on record at 83 per cent. This drop is largely attributed to instances where DAPs approved applications that were recommended for refusal.

Feedback from Local Government also highlights concerns about the accountability and transparency of these DAP decisions. Decisions that depart from applicable local planning frameworks are often not clearly articulated and explained. This is specifically concerning when substantial discretion to local planning frameworks (i.e. development bonuses) is exercised when community benefit is provided as part of the development. This devalues local planning frameworks and creates confusion and community trust in the decision-making process. Additionally, concerns have been raised about other inconsistencies in decision-making, including variations in the wording and consistent application of conditions across decisions.

Further, Local communities should be empowered to attend, observe, and actively participate in decision-making processes. Many Local Governments have expressed concern about DAP meetings being conducted online rather than in person at Local Government offices or near the proposed development site. Holding meetings remotely can limit community access and engagement and again contributing to a lack of community trust in the decision-making process.

The DAP application cost threshold has not been increased since DAPs were introduced in 2011, and in fact was lowered from \$3 million to \$2 million in 2016. This is despite increasing post-COVID construction costs and numerous reforms to the DAP system, including the latest major amendments in 2024.

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<sup>8</sup> [WALGA's Local Government Performance Monitoring Project](#)

As a result, a high portion of DAP applications continue to consist of low value DAs. This is confirmed by the significant increase in the number and proportion of proposals with project values of less than \$5 million, peaking at almost half of the DAs determined in the 2021-22, 2022-23 and 2025-25.

These low value DAs are also reflected in the application types. The volume of DAs in the 'mixed use' category, that typically include significant residential tower developments, has steadily declined from the largest development category in the 2020-21. Conversely, there has been a noticeable increase of determinations in the 'community' category, which along with the 'commercial' category over the last five years, which are now the largest two development categories. Childcare related projects that account for a significant portion of DAs in the 'community' category while fast food and service stations account for a significant portion of DAs in the 'commercial' category.

Developments with a lower development value are unlikely to be complex or strategic in nature. WALGA's view is that the lowest competent level of Government closest to and most impacted by a planning proposal should undertake the planning function. Low value DAs should clearly be within the remit and capability of Local Government.

The role of Local Government in the decision-making process is essential for ensuring that local context, community interests, and relevant planning frameworks are accurately represented. However, recent reforms to the DAP system have progressively diminished the involvement of Local Governments—particularly Councils—in this process.

Notably, the introduction of the *Local Government (Development Assessment Panels) Regulations 2025*, which came into effect on 1 May 2025, clarifies that Local Government administrations are responsible for preparing and submitting the RAR to a DAP. A review the role of Councils in the DAP decision-making framework to ensure they retain a meaningful voice in representing community interests and influencing planning outcomes.

WALGA recommends the following list of reforms to the DAP system to increase Local Government and community involvement, remove low-value applications that lack strategic importance and review DAP procedures to ensure fairness and accountability:

- a. Raise the DAP threshold from the current \$2 million to \$5 million and mandate periodic reviews of the threshold.
- b. Modify the composition of DAPs to provide equal representation of Specialist Members and Local Government Members.
- c. Review DAP processes to ensure proponents provide necessary information in a timely manner.
- d. Provide clear procedural guidance on the roles and functions of Local Government officers and Council, including clarification on the ability for the Administration to provide advice to Council Members.



- e. Allow access to the State Referral Coordination Unit for DAP applications to ensure timely and adequate referral responses from State Government agencies are provided to Local Governments.
- f. Where appropriate, require meetings to be held within the relevant Local Government.
- g. Reinstate the ability for Council to consider and provide a recommendation for a Responsible Authority Report.

## Other State Government Decision Makers

There are other State Government boards or agencies that determine DAs, specifically DevelopmentWA, that processes and determines DAs within five redevelopment areas in Perth.

Development for public works are also either exempted from requiring development approval in accordance with *Planning and Development Act 2005* or public works DAs are often delegated by WAPC to the relevant public authorities to determine. Public works can include works on railways, roads, water supply, sewerage, public and community housing, public schools and public hospitals.

WALGA has not undertaken any data analysis of these State Government applications and decisions, and public reporting of these decisions is limited. Notwithstanding, concerns have been raised by Local Governments regarding public works projects. While it is acknowledged that public works are not subject to approval under local planning schemes, there is still a requirement for consultation with Local Governments and decisions should also seek to align with the purpose and intent of local planning schemes. However, the Sector has highlighted instances where public works have disregarded these planning intentions, resulting in negative impacts on local communities.

For example, Local Governments in the southwest have recently raised concerns regarding the use of public works exemptions by the Forest Product Commission (FPC) to support the expansion of the soft wood plantation, on land privately owned by the FPC. This expansion is linked the State Government's 10-year \$350m program to expand the state's softwood timber estate. Local Governments in these areas generally restrict tree farms and plantation land uses from high-quality agricultural land, consistent with *State Planning Policy 2.5 Rural Planning*, through their Local Planning Schemes and local planning policies. The use of public works exemptions by FPC has seen a marked reduction in prime agricultural land and the approval of plantations on land where such land uses would not be permitted under other planning processes.

The use of public works exemptions by State agencies to disregard local planning schemes exemplifies the broader trend of State-led planning decisions disregarding local strategic intent and community impact.



WALGA considers the actions of state agencies and departments in the use of their public works exemption powers falls within the scope of point a of the Committee's Terms of Reference and recommends the committee investigate and consider how these decisions align with established local planning schemes, strategies, policies, and frameworks as part of its deliberations.

There are also several State Government agencies and servicing authorities that play roles in granting approvals and providing infrastructure at various stages of the planning and development process. Local Governments in their submissions to the Inquiry will raise examples where the lack of coordination across state agencies and servicing authorities has delayed developments, slowed the delivery of housing around strategic activity centres and train stations, and highlights a lack of common purpose across Government to facilitate these outcomes.

One of the stated functions of the WAPC includes '*developing integrated land use planning strategies and policies for the coordination of transport, infrastructure and development*'. While the establishment of the State Referrals Coordination Unit within DPLH is acknowledged as a step towards coordinating state referral advice, its remit remains limited, and delays to development projects persist.

Further, the recent introduction of the *State Development Bill 2025 (the Bill)* to Parliament highlights a continuation of the trend to centralise decision making powers at the state level under the auspices of speed, certainty to the desire to drive economic and housing outcomes. One of the stated aims of the Bill is to establish a more strategic approach to state development by increasing the certainty of end-to-end project approval timeframes. As outlined above, these are similar to the aims of DAPs and the SDP when established, which when put under scrutiny, have failed to be met. Continued scrutiny of the success of the Bill and benefit that comes from the new powers afforded to the Coordinator General should occur to ensure that the stated aims are being met, and that environmental and social factors are not being downgraded at the expense of proponent certainty and approval speed.

## Local Government Performance Monitoring

Local Government is an important decision maker, regulator, and participant in the Western Australian planning system, and has a key role in setting the strategic land use planning framework and managing statutory functions at a local level.

Local Government processes and decision making have been scrutinised and subject to extensive review as part of the State Government reform agenda, progressively eroding Local Government's role in planning system and reducing Local Government's role in decision-making.

WALGA initiated the Local Government Performance Monitoring Project in 2017 to accurately report the planning and building performance of participating Local Governments. The Project collects a range of data on Local Government planning

and building regulatory functions and seeks to provide a representative and evidence-based analysis of the performance of the sector.

Forty-nine Local Governments participated in the 2023-24 Project, representing approximately 92 per cent of Western Australia's population and 94 per cent of the State's total population growth.

The Project collects data on both statutory and strategic planning functions, building regulatory functions, and information on resourcing of these functions.

The process of collecting and reporting data has also been refined and improved. The Performance Monitoring Dashboard, now in its fifth year, provides a collated view of all participating Local Governments across the eight years of the Project reporting, and allows Local Governments to analyse and compare performance by year, region or against individual Local Governments.

Information on the Project and copies of the Reports and Dashboard can be found on the WALGA website, [here](#).

Key findings from the 2023-24 data:

- participating Local Governments determined 63,043 applications (development applications, subdivision referrals and building permits), a 12 per cent increase on the previous year
- participating Local Governments determined 16,250 development applications
- 90 per cent of these applications were determined or responded to within statutory timeframes
- 99 per cent of all development applications were approved
- 98 per cent of all development applications were determined under delegated authority
- For scheme amendments:
  - Local Governments finalised 78 scheme amendments in 2023-2024
  - 40 per cent of the time taken to complete scheme amendments could be attributed to State Government processes, a significant reduction from the previous year, and well below the 49.5 per cent average over the eight years of reporting.

There is a low standard deviation within most specific measures, and average sector performance year on year is consistent, providing a high degree of confidence that the reported performance is reflective of the sector, and that high levels of performance by some larger Local Governments are not impacting sector averages.

This data confirms Local Governments are and has always been, the backbone of the planning system, processing the majority of DAs per year, despite the State Government's continued erosion of Local Government in planning and approvals.

Timeliness and transparent decision making are key elements of the State Government reform agenda. The data indicates that Local Governments have been

and continue to effectively and efficiently process DAs and recent reform initiatives have not been supported by a strong evidence base. This evidence demonstrates that Local Governments consistently deliver high-quality planning outcomes, and that recent reforms diminishing their role are not supported by performance data or system-wide benefits.

This is further highlighted through WALGA's Council Determined Development Applications Report. This [report](#) reviewed the effectiveness of 2024 reform that mandated that DAs for single houses or related developments (excluding heritage-protected places) must be determined by the CEO of the Local Government or employees authorised by the CEO and cannot be determined by Council.

In response, WALGA reviewed Council Minutes from 46 Local Governments between July 2022 and June 2023 to assess the potential impact of this reform. The analysis found that only 2.75 per cent of all DAs were determined by Councils, with just 8.81 per cent of those decisions going against officer recommendations. Notably, only 14 single residential applications (0.09 per cent of all applications) were refused contrary to officer advice.

The intention of these reforms was to “reduce unnecessary red tape” and “improve efficiencies in decision making to assist with the delivery of housing”. However, WALGA’s reporting shows the supposed positive impact of these reforms to the delivery of housing, and the streamlining of the planning system has arguably been overstated.

Further, while the planning system has many similarities across WA, there are a range of unique economic, social, environmental, and cultural factors that require planning to consider local context and character. Local Governments have an innate understanding of their area and communities and are uniquely well placed to manage growth and development and make planning decisions that consider local needs under the umbrella of the State planning system.

DAPs and the SDPs erode the role of Local Government in providing a valuable community perspective on planning proposals leading to community distrust and disenfranchisement with the planning system process and decision-making.

Decisions should be made by the level of government closest to and most impacted by a planning proposal and should appropriately reflect local environment, context, communities and characteristics as outlined in local planning frameworks.

Local planning frameworks—including strategies and schemes—are integral components of the planning system and are also tracked as part of this project. These instruments require preparation and processing by Local Governments, followed by consideration and determination by the WAPC and/or the Minister for Planning. The project highlights the significant time required to prepare and review these comprehensive frameworks, with the average scheme age currently at 13.5 years.

WALGA has previously raised concerns with the increasing standardisation of local planning instruments, the growing state involvement in their preparation and approval, and the lengthy processing time at the State level. The WAPC should refocus on its core role to lead strategic planning, supporting the development and implementation of strategic documents. Instead, reforms have prioritised fast-tracking development assessment process and introducing the SDP, that ignores outdated local planning instruments, continuing to undermine orderly and proper planning and community trust in the planning process. Future reforms to the planning system should be developed and prioritised based on quantitative and qualitative data and be focused on strategic planning reforms that maximise long-term benefits to communities and create tangible improvements to planning system and processes.

## Conclusion

WALGA's extensive analysis of Western Australia's planning system over the past 14 years demonstrates that Local Governments continue to play a vital and effective role in development assessment. The sector consistently delivers timely, transparent and accountable planning outcomes, grounded in statutory frameworks and informed by local context and community engagement.

Despite this, recent reforms have significantly expanded the role of the State in development assessment, often to the detriment of Local Government involvement. The introduction and continuation of State Significant Development pathways have not been supported by a compelling evidence base. These pathways have been used infrequently, have not demonstrably improved efficiency, and have had negligible impact on housing supply or economic recovery. Moreover, they have facilitated the approval of developments that conflict with established local planning frameworks, undermining the principles of orderly and proper planning and diminishing public confidence in the planning system.

WALGA maintains that planning decisions should be made by the level of government closest to, and most impacted by, a proposal. Local Governments are best placed to assess development within their communities, ensuring that decisions reflect local character, strategic intent and community expectations. The sustained, ongoing centralisation of statutory planning powers both erodes the integrity of the system and disenfranchises local communities.

The focus on lower-level statutory matters reduces the State's ability to lead on state-wide and regional strategic planning. WALGA strongly encourages the Committee to consider the cumulative impact of these reforms and to recommend a recalibration of the planning system that restores and reinforces the role of Local Government in development assessment. Future reforms must be evidence-based, transparent and developed in genuine partnership with the Local Government sector to ensure the planning system delivers long-term benefits to Western Australian communities.