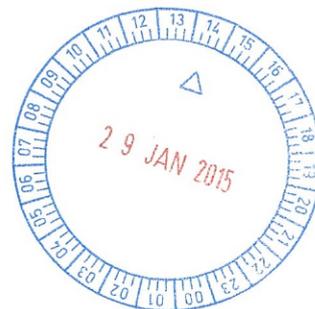


29 January 2015

**E-MAILED**  
29/01/15



The Honourable Catherine Doust MLC  
Chairperson  
Uniform Legislation and Statutes Review Committee  
Legislative Council of Western Australia  
Parliament House  
WEST PERTH WA 6005

Dear Ms Doust

**Public submission - Parliamentary inquire: DAP Regulations 2011**

I am a landowner and resident in the City of Subiaco.

I have read the parliamentary debate that preceded the introduction of the DAP system. The government who proposed its introduction did so on the grounds that it would be transparent and accountable. The DAP that operates in Subiaco is neither.

In my direct experience, DAPs are not transparent. Much wheeling and dealing is done out of public view and without disclosure. For example, when approving a development in Catherine Street Subiaco the DAP had a site meeting with the developer. It was not advertised, the public was not invited to observe, the public was not given similar access to the panel members and the panel did not comply with its own regulations by filing a report at its next meeting. Moreover the building façade and balconies included on the building presented to the public for public submission were completely different to what was put before the panel. I sought judicial review in the Supreme Court. That process was extremely expensive and very limiting as I had no substantive rights of appeal. I lost the case and had to pay substantial costs orders.

DAPS are not accountable as the 3 appointed members are not elected and there are no third party appeal rights.

It is concerning to see members of DAPs swapping sides of the table when it suits them. I have seen a permanent DAP member in Subiaco present to the same panel he usually sits on. The camaraderie between him and the 3 panel members, who approved the development he was being paid to spruik, was on display prior to and after the meeting. It was all very matey, matey! It highlighted to me the reality that it is the development industry (not government) that is making development decisions in respect of applications that qualify for DAP consideration.

The behind closed doors wheeling and dealing that goes on under the cloak of the SAT is most concerning. The SAT is being used as an excuse for secrecy.

During parliamentary debate and in a Ministerial Media Statements (16/9/2009) Minister John Day said that Local governments would continue to play an important role, in the strategic planning

