

Saffioti told to make DAPs fair

By BRET CHRISTIAN

Development assessment panels should be made fairer to communities during the state's economic slowdown, says anti-DAP campaigner Vicki Redden.

"The whole balance of DAPs has swung too far toward the interests of developers and the community has been closed out," she said.

Residents in the western suburbs have made the same complaints, especially at the height of the apartment and office building boom.

Mr Redden is part of the South Perth Peninsula Action Group, representing 60 anti-DAP groups, which met for an hour last week with Planning Minister Rita Saffioti's policy advisers.

"The system has been corrupted and needs changing," Ms Redden's group told Ms Saffioti.

"If you ignore the community's anger over this system, you do so at your peril.

"The DAPs do make unlawful decisions which cause long-term, permanent damage to communities

"The communities have no body or person to appeal to other than the Supreme Court."

Ms Redden said the group's suggestions for change had been listened to with genuine interest.

"Our examples of poor planning decisions certainly show the chaotic state of planning approvals in WA," she said.

"We are not Nimbys - we are in fact a group of extremely angry residents whose rights have been eroded and who intend to stand up to what is plainly very wrong.

"The group emphasised that there is no body to police the powerful DAPs, which have

been criticised for approving non-compliant developments.

"This is very unusual, especially considering that the government-appointed DAP members are not public servants.

"They are treated as part of the judicial system, which they are not".

She quoted a NSW ICAC report: "This is a perfect environment for corrupt activity to flourish in."

WA's DAPs were modelled on the now-defunct NSW DAPs.

The local DAP in South Perth approved a second, 35-storey unit development in South Perth for 74 Mill Point Road, a site that allowed only eight storeys.

The first 29-storey development on the site was thrown out by the Supreme Court after being approved by the DAP.

"Something is seriously wrong with a system where ratepayers have to police, at their own expense, the lawfulness of the decision-making by unelected and poorly advised planning bodies," Ms Redden said.

She said the case drove home

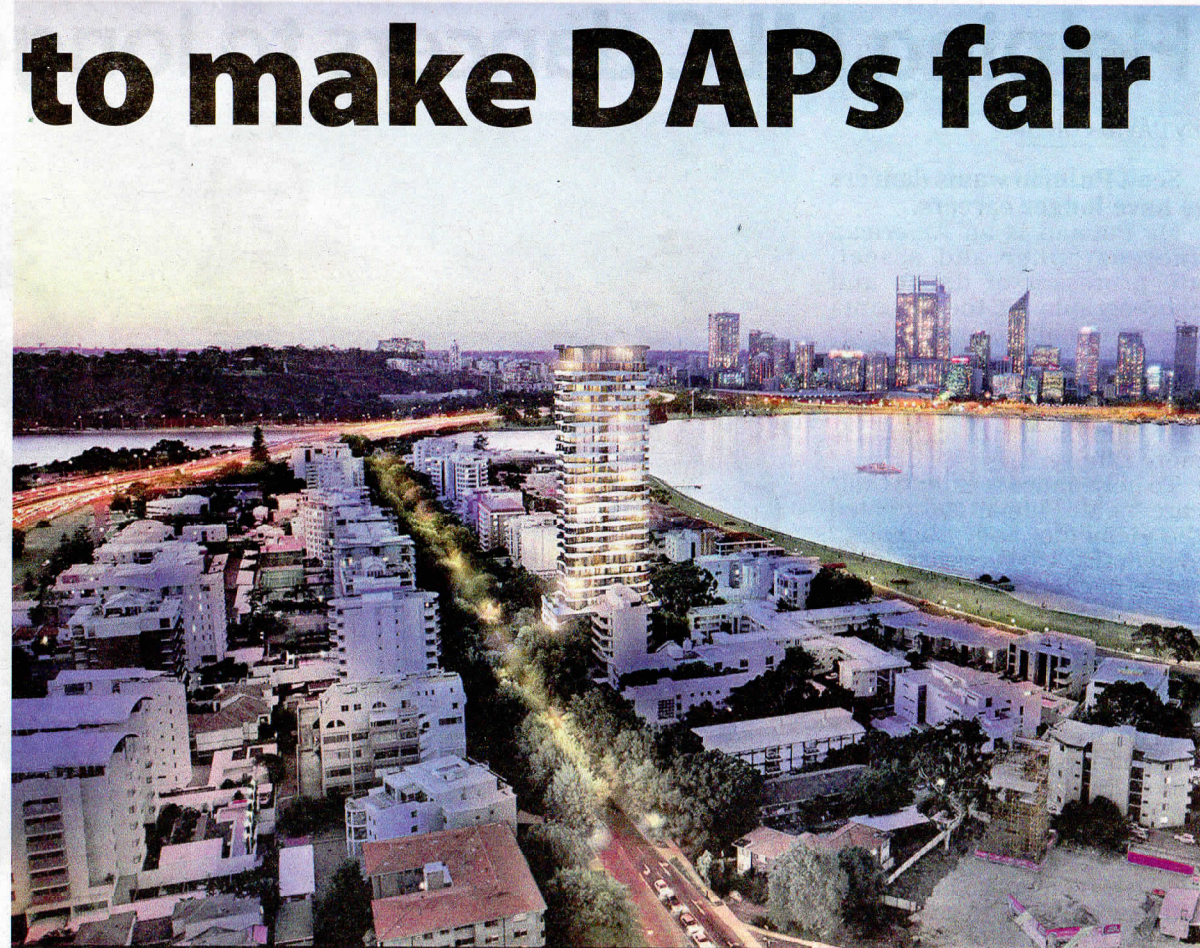
“If you ignore the community's anger over this system, you do so at your peril.”

the point that residents' voices were shut out of non-compliant DAP decisions.

Their only recourse is ruinously expensive Supreme Court action.

Ms Redden said in a letter to Ms Saffioti: "Neither the community, nor council can appeal any of these decisions, no matter how bad or wrong they are.

"A DAP decision is the end



The DAP approved a 35-storey development at 74 Mill Point Road, South Perth, on a site where only eight storeys were allowed.

of the road - unless you have a minimum \$300,000. This is undemocratic.

"Like your predecessors and the heads of the WA Planning Commission, we hear you say that the majority of JDAP decisions are not controversial and that JDAPs only approve what is in the local council town planning schemes.

"This is wishful thinking - it is also naive and untrue.

"There are now more than 60 action groups like ours, who would willingly supply you with hundreds of examples of where JDAP decisions are causing permanent damage, destruction and devastation to communities all across Perth."

She said developers were gaming the system, taking advantage of poorly written schemes, regulations and policies that contained numerous ambiguities and loopholes.

Each of six non-complying high-rise developments on the South Perth peninsula were approved on the basis that they were of "exceptional design".

"It is widely accepted that none of them were," she said.

She said residents were demanding four initial changes to DAPs:

- The chairman should be independent of any aspect of the property and development industry and preferably have planning law qualifications.
- Get rid of the mates club mentality by excluding any member with conflict of interest, making sure all interests are declared.
- Make it mandatory for all DAP proceedings to be recorded, with the recordings publicly available.
- Give equal access to justice before the State Administrative Tribunal now enjoyed by developers to both councils and communities.