

## Development Assessment Panels Information Sheet

This information sheet provides details on Development Assessment Panels (DAPs) and the process for the assessment and determination of DAP applications. The [Planning and Development \(Development Assessment Panels\) Regulations 2011](#) regulate DAPs.

### Context

A DAP is an independent decision-making body that determines certain development applications in place of the original decision maker, such as the local government and/or the Western Australian Planning Commission (WAPC).

DAPs were created by the WAPC to enhance planning expertise in decision making by improving the balance between technical advice and local knowledge for larger-scale developments. DAPs consist of three specialist members and two local government Councillors by Ministerial appointment.

When a DAP covers more than one municipality, it is referred to as a Joint Development Assessment Panel (JDAP). The Town of Bassendean is part of the Metro Inner-North JDAP.

### JDAP Application Types

An application is determined by a DAP in the following circumstances:

- **Mandatory** – estimated cost of development  $\geq$  \$10 million; or
- **Optional** – applicant may choose either the JDAP or WAPC and/ or local government to be the decision-maker where the estimated cost of development between \$2 million and \$10 million; or
- **Delegated** – the WAPC and local government may choose to delegate their decision-making authority to the JDAP when an applicant meets the ‘Optional’ criteria above (this must be supported to the majority of Council and the JDAP application will be at the local government’s expense); or
- **Amending or cancelling a JDAP application** – eligible when a JDAP development approval is granted and needs to be amended. Reasons why this may occur include:
  - (i) to extend the period in which the development has to be substantially commenced;
  - (ii) to amend or delete a condition of development;
  - (iii) to amend an aspect of the development, in a manner which does not substantially alter the development that was approved; or
  - (iv) to cancel the approval.

JDAPs do not apply to exempted development, including the construction of a single dwelling, fewer than 10 grouped or multiple dwellings, carports, patios, outbuildings or associated incidental development. For more information, refer to the [Exempted Development Information Sheet](#).

### **Making a JDAP application**

- The applicant is to submit the application, all supporting documents and associated fees to the Town.
- A local government must, within 7 days, provide the DAP secretariat with:
  - (i) a copy of the JDAP application; and
  - (ii) a copy of the DAP Development Application Form completed by the applicant and local government; and
  - (iii) confirmation of the application fee paid; and
  - (iv) a copy of any supporting documentation and information provided to the local government.

The local government, must, within 7 days of receiving any further documentation and/or information relating to the JDAP application in response to a notice given to the applicant, send it to the DAP secretariat.

### **JDAP Assessment Process**

- The Town assesses the application in accordance with relevant planning frameworks and prepares a Responsible Authority Report (RAR) for consideration by Council and the JDAP.
- Where advertising is required, letters are sent to owners and occupants that in the opinion of the Town, are likely to be affected by the proposal. A copy of the application is also provided on the Town's [website](#).
- A copy of the RAR is presented to Council for its formal consideration. Where Council provides a resolution that differs to the Officer's recommendation within the RAR, Council's resolution is inserted into the RAR prior to the RAR being provided to the DAP secretariat. The RAR and the Council minutes are required to include details as to why the Council resolution differs from the Officer's recommendation.
- A JDAP determination must be made within 60 days (RAR to be completed in 48 days) if the application does not require advertising and 90 days (RAR to be completed in 78 days) if advertising is required.
- Where a previous JDAP decision has been made, the applicant can opt to amend or cancel the development approval granted by the JDAP via the Responsible Authority (WAPC and/or local government).

## JDAP Meetings

- The time, date, and location of each JDAP meeting and the agenda for the meeting, must be published on both the [DAP](#) and the Town's [website](#), at least 7 before the meeting.
- The Town will also notify any person who made a made a submission of the meeting.
- The DAP secretariat circulates the RAR, agenda, application and supporting documentation to the JDAP members prior to the meeting. The Town will also provide a copy of the agenda its website.
- JDAP meetings are open to the public, however only those invited to give a presentation to the JDAP may address the JDAP. Submissioners in attendance at the meeting may be asked to make a short presentation to the JDAP by the presiding member.
- Members of the public can [request to make a presentation](#). Requests must be made no less than 72 hours (or 3 ordinary days) before the meeting, and are at the discretion of the presiding member. Presentations cannot exceed 5 minutes.
- Each member of the JDAP is entitled to one vote on each matter. In the event of a member being absent from the meeting, the person presiding (the presiding member or deputy presiding member) will have the power to cast the vote.
- The minutes of the meeting are finalised and a determination letter will be sent to the applicant by the DAP secretariat. The Town will also notify submitters of the decision, and provide a copy of the minutes on its website.

## Appeals

- The applicant has 28 days from the decision being made to appeal a decision to the State Administrative Tribunal (SAT).

An appeal can be made where:

- (i) an application has been refused; or
- (ii) the applicant is not satisfied with some or all of the conditions imposed; or
- (iii) the application has not been determined within the statutory timeframes and is considered a 'deemed refusal' under the Planning and Development (Local Planning Schemes) Regulations 2015 (as amended).

Whilst there are no third-party appeal rights in Western Australia, SAT may invite interested parties to participate in proceedings.

For further information, please liaise with the Town's Planning Services on 3977 8000 or via [mail@bassendean.wa.gov.au](mailto:mail@bassendean.wa.gov.au).

## Development Assessment Panel Application Checklist (General)

	Requirement	Check
1	Completed Town of Bassendean Development Application Form	
2	Completed JDAP Form 1 OR Completed JDAP Form 2 (amendment or cancellation of a DAP determination only)	
3	Completed <a href="#">MRS Form 1</a>	
4	Town of Bassendean Fee ( <a href="#">schedule of fees</a> )	
5	JDAP Application Fee (see fees here: <a href="#">JDAP Fees</a> )	
6	Certificate of Title/Landowner Consent	
7	Written explanation of the development	
8	Existing Site Survey	
9	Proposed Site Plan	
10	Floor Plans	
11	Elevation Plans	
12	Streetscape Elevations	
13	Landscaping Plan	
14	Shadow Diagrams	
15	Acoustic Report	
16	Traffic Impact Statement or Transport Impact Assessment	
17	Stormwater Management Plan	
18	Waste Management Plan	
19	Bushfire Management Plan or Bushfire Attack Level Assessment	
20	Other (liaise with Planning Services):	

Applications should be sent to the Chief Executive Officer, Town of Bassendean, PO Box 87, Bassendean WA 6934, by hand at 35 Old Perth Road, Bassendean or emailed via [mail@bassendean.wa.gov.au](mailto:mail@bassendean.wa.gov.au).