

**12.3 APPOINTMENT OF COUNCIL MEMBERS TO THE METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL**

**Attachments:** 1. Minutes of Meeting 16 November 2021 - Appointment of JDAP members

**RECOMMENDATION:**

**That Council:**

1. **REQUESTS** that the Chief Executive Officer:
  - a. writes to the Minister for Planning advising the Council Member terms of three of the City of Vincent's four local government Local Development Assessment Panel Members are currently set to expire in October 2023;
  - b. request the appointment of additional local government Local Development Assessment Panel members; and
  - c. notes the importance of ensuring two local government members are in place on the Vincent Local Development Assessment Panel after the local government elections in October 2023.
2. **If the Minister requests for nominations for additional local government Local Development Assessment Panel alternative members, NOMINATES the following Council Member to represent the City of Vincent on the Metro Inner-North Joint Development Assessment Panel (JDAP) for the period 22 August 2023 – 26 January 2024:**

**Alternate Members:**

1. Cr

**PURPOSE OF REPORT:**

To request the appointment of additional alternate local government members to the Metro Inner-North Joint Development Assessment Panel (JDAP).

**BACKGROUND:**

Council at its meeting 16 November 2021 resolved to appoint four Council Members to represent the City on the JDAP for a period 27 January 2022 – 26 January 2024 (**Attachment 1**). On the 15 August 2023 Cr Dan Loden tendered his resignation from this position.

The JDAP is responsible for determining high value development applications and the panel comprises three specialist members and two local government elected members. The Local Government Elected Members on the panel play an integral role in representing the view of the community and ensuring decisions reflect Council's adopted planning framework.

Council Elections occur every two years in October with the next election scheduled for October 2023, three of the Council Members appointed to the JDAP have a term expiring 21 October 2023.

There is no limit to the number of local government members the Minister can appoint to a Local Development Assessment Panel under the Planning and Development (Development Assessment Panels) Regulations 2011. The practice of the Department of Planning, Lands and Heritage has been to allow up to four Council Members to be appointed represent their local government on the relevant Development Assessment Panel.

Regulation 33(5A) of the Planning and Development (Development Assessment Panels) Regulations 2011 states:

*A person appointed as a local government member of a DAP on the nomination of a local government under regulation 24(1)(a) ceases to be a member of the DAP if the person ceases to be a member of the council of the local government.*

To ensure the City has adequate representation on the JDAP panel for any meetings scheduled after 21 October 2023 until the end of the current appointment period 26 January 2024, it is recommended that Council write to the Minister advising that it is necessary to make an appointment and asks the Minister to make a request for nominations for additional alternative members so that there are going to be the necessary two local government members on the DAP no matter the outcome of the LG election.

The current vacancy created by Cr Dan Loden's resignation is to be filled by a Council Member with a term not expiring 21 October 2023.

#### DETAILS:

The key details of the JDAP are as follows:

Meeting Occurrence:	When required														
Date of Meeting:	When suitable														
Time of Meeting:	When suitable, usually commencing at 9.30am with a duration of 30 minutes to 3 hours														
Location of Meeting:	City of Vincent Administration and Civic Centre; or Department of Planning, Lands and Heritage; or Other Metro West Local Government														
No. of Meetings in 2023:	7 meetings to date														
Responsible Liaison Officer:	Executive Director Strategy and Development														
Purpose of DAP:	Determining development applications where the likely cost of the development exceeds a specified dollar value. For any proposal between \$2 million to \$10 million the applicant may elect for the application to be determined by the JDAP and anything over \$10 million in value would be a mandatory JDAP application														
Fees for DAP Members:	<table border="0"> <tr> <td>1. Fee for presiding member per meeting to determine development applications</td> <td style="text-align: right;">\$700</td> </tr> <tr> <td>2. Fee for any other member per meeting to determine development applications</td> <td style="text-align: right;">\$425</td> </tr> <tr> <td>3. Fee per meeting for presiding member to determine applications to amend or cancel determination</td> <td style="text-align: right;">\$200</td> </tr> <tr> <td>4. Fee per meeting for any other member to determine applications to amend or cancel determination</td> <td style="text-align: right;">\$100</td> </tr> <tr> <td>5. Fee for presiding member attending proceeding in State Administrative Tribunal</td> <td style="text-align: right;">\$700</td> </tr> <tr> <td>6. Fee for any other member attending proceeding in State Administrative Tribunal</td> <td style="text-align: right;">\$425</td> </tr> <tr> <td>7. Fee for Training</td> <td style="text-align: right;">\$400</td> </tr> </table> <ul style="list-style-type: none"> <li>• <i>Please note that eligibility for payment of DAPs sitting fees is guided by the Premier's Circular 2010-02.</i></li> <li>• Three (3) members with specialist knowledge in the areas of town planning, architecture, or other related disciplines.</li> </ul>	1. Fee for presiding member per meeting to determine development applications	\$700	2. Fee for any other member per meeting to determine development applications	\$425	3. Fee per meeting for presiding member to determine applications to amend or cancel determination	\$200	4. Fee per meeting for any other member to determine applications to amend or cancel determination	\$100	5. Fee for presiding member attending proceeding in State Administrative Tribunal	\$700	6. Fee for any other member attending proceeding in State Administrative Tribunal	\$425	7. Fee for Training	\$400
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5. Fee for presiding member attending proceeding in State Administrative Tribunal	\$700														
6. Fee for any other member attending proceeding in State Administrative Tribunal	\$425														
7. Fee for Training	\$400														
Other Membership:	<ul style="list-style-type: none"> <li>• Executive Director Strategy &amp; Development</li> <li>• Manager Development and Design</li> <li>• Other City Officers (<i>as required</i>)</li> </ul>														
<u>Current Elected Members</u>	<u>Alternate Members</u>														
1. Cr Susan Gontaszewski	1. Cr Jonathan Hallett														
2. Cr Ashley Wallace	2. Vacant														

More detailed information about Development Assessment Panels and the Metro Inner-North JDAP can be found on the website of the Department of Planning, Lands and Heritage.

Appointments are subject to the approval by the Minister for Planning.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

Part 11A of the *Planning and Development Act 2005*.

Regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.


**RISK MANAGEMENT IMPLICATIONS:**

Low: The timely appointment of the City of Vincent representatives to the JDAP will enable the representatives to participate in decision-making that may impact the City.

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no budget implications for the City in appointing members to the JDAP, as the fees are paid by JDAP.

**12.5 APPOINTMENT OF COUNCIL MEMBERS TO THE METRO WEST JOINT DEVELOPMENT ASSESSMENT PANEL**

**Attachments:** 1. Development Assessment Panel Request for Nominations 

**RECOMMENDATION:**

That Council **APPOINTS** the following Council Members to represent the City of Vincent on the Metro West Joint Development Assessment Panel (JDAP) for the period 27 January 2022 – 26 January 2024:

- | <b>Member:</b>            | <b>Alternate Members:</b> |
|---------------------------|---------------------------|
| 1. Cr Susan Gontaszewski; | 1. Cr Dan Loden;          |
| 2. Cr Ashley Wallace;     | 2. Cr Jonathan Hallett    |

**COUNCIL DECISION ITEM 12.5**

**Moved:** Cr Castle, **Seconded:** Cr Gontaszewski

That the recommendation be adopted.

**CARRIED (8-0)**

**For:** Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Worner, Cr Hallett, Cr Ioppolo and Cr Wallace

**Against:** Nil

(Cr Loden was an apology for the Meeting.)