

Hon Matt Swinbourn MLC
Chairman
Standing Committee on Environment and Public Affairs
Parliament House
4 Harvest Terrace
West Perth WA 6005



Dear Committee Chair,

I write in response to your letter requesting a submission in relation to the petition tabled in the Legislative Council on the 2nd November titled *Joint Development Assessment Panels*.

While the petition is brief in its wording, JDAPs have had a tremendous impact upon many residents throughout the Perth Metropolitan Area.

I have identified 10 major concerns surrounding the JDAP process that I and the petitioners would like to see addressed. Each of these issues I identified during my one JDAP meeting:

Intimidating forum and environment for the public to participate in.

Most people feel intimidated presenting in front of a panel. This forum is not a friendly environment for residents to present our views. It is far too formal and intimidating.

Insufficient notice given to residents to attend the meetings.

Submitters were given less than 7 days' notice of the meeting time, location and date.

Insufficient time to fill out the necessary paperwork which requires you to detail the specifics and a summary of your presentation.

As a Submitter we had to write out a summary and then a complete statement about what we would say before the meeting within five days. This is very little time.

Meetings are held at times that full time workers and parents can't attend.

The meeting was held on a Monday at 2pm, making it extremely difficult for full time workers and parents to attend. My neighbours, albeit one retired couple, were unable to attend due to work commitments and school pickups. The agenda included three to four different applications to be assessed and our agenda item was not heard until 3:30pm- one item was placed above ours during the meeting so we had to wait longer than anticipated. We had our Planning Specialist attend and present on our behalf which made the prolonged wait time an expensive exercise.

No responses are provided by the Applicant to address Submitter concerns.

We were in a fortunate position to have our own Planning Specialist present in front of the panel for five minutes. She raised all our concerns and pointed out where the regulations and policies were not being adhered to. No presiding member asked her any questions. No response to our points was raised by the Director of Town Planning. No response was made by the Applicant to our concerns that were voiced.

Questions by submitters are not responded to by the Applicant.

The Applicant was present and responded to one question from the panel. Other specific questions were asked of The Applicant but they didn't respond and failed to provide pertinent information.

Although panel members acknowledge community concerns, it is more lip service than a commitment to ensure issues are addressed.

All non-local government members who voted in favour of the Application acknowledged the myriad of concerns the community expressed yet these concerns were not addressed and non-panel members voted for the application regardless.

The JDAP is known for being pro- development with Submitters (i.e. the community) consistently voted against. The panel is weighted too heavily towards assessing building codes as opposed to whether the development is in the best interest of the communities.

This is a primary concern as it denies local government and local communities a majority say on developments that will have a direct impact on their own way of life. Having Local Government representatives take only two out of five spots on the JDAP subverts the will of local communities.

Applicants know how to use the system to get the best outcome and Submitters struggle to be heard.

There is a huge gap between applicants who are very well versed in the JDAP process and local residents who will be directly impacted. Developers can afford to get commercial legal advice where as individual community members just don't have the same capacity.

The lack of 3rd party appeals process for submitters is poor, with Applicants being able to go to the SAT if they are denied.

Having a legal appeals mechanisms in place for Applicants/Developers and yet not affording the same privilege to local residents is a disgrace and is yet another example where the will of local communities gets subverted.

We need wisdom and ethical decision making processes to protect and represent residents and communities.

I request the Environmental and Public Affairs Committee hold an inquiry into the JDAP process and ensure steps are taken to both improve community representation on the panel as well as improve the integrity of the process ensuring all relevant issues are addressed.

Yours sincerely

M/s Katrina Dávy
21st November 2017