

**ATTACHMENT 2. - COMMENTS MADE REGARDING ANKETELL IMPROVEMENT SCHEME AGAINST ANTICIPATED FORMAT PROVIDED BY DEPARTMENT OF PLANNING**

Section	Description	Comments
Section 1: Preliminary	Sets out the Purpose and Aims of the Scheme.	Aims of Town Planning Scheme No.8 include "facilitate community input into planning for the appropriate balance between economic and social development, conservation of the natural environment, and improvements in lifestyle and amenity".
Section 2: Planning Framework	The proposed new <i>Planning and Development (Local Planning Scheme) Regulations 2014</i> refer to the local planning strategy setting out the long-term planning directions for the Scheme Area and require the local government to have regard to local planning policies in making determinations under the Scheme.	The Improvement Scheme should set out the regard that should be had for the local planning strategy and local planning policies in making determinations under the Improvement Scheme.
Section 3: Zones and use of land	Sets out the zones under the Scheme and use permissibility.	It is appropriate to only designate Industrial zones in the Anketell Improvement Scheme. In terms of use permissibility, it is recommended that Residential, Commerce or Entertainment, Recreation and Culture uses not be permissible. It is recommended instead that the focus be on Strategic Industry, rather than more generic industrial use classes (ie. General Industry, Light Industry, Service Industry, Storage Facility/Depot/Laydown Area) to recognise the strategic nature of Anketell and minimise the potential for lower order industrial uses that can be accommodated around Karratha locating at Anketell.
Section 4: Plans	The information provided by the DoP notes that the Improvement Scheme will be accompanied by a Guide Plan.	If the Guide Plan is to have statutory effect, then the Improvement Scheme will need to set out the process for preparing and approving a Guide Plan, including the need to consult with the local government and to publicly advertise the Guide Plan.
Section 5: Development requirements	Sets out site and development standards.	No comments required.
Section 6: Development of land	Under this section, Town Planning Scheme No.8 sets out the requirement for planning approval (including exemptions from the requirement), the process for considering and determining applications and the need for compliance with conditions. This section under Town Planning Scheme No.8 also sets out matters to be considered by Council, although under the Regulations it is dealt with under Section 8.	<p>Including exemptions is important to minimising the need for planning approval for development that should not require planning approval. Some relevant examples from Town Planning Scheme No.8 are:</p> <ul style="list-style-type: none"> <li>• Development of land in a reserve where such land is held by the Council or a public authority and where the proposed development is for a purpose for which the land is reserved</li> <li>• The carrying out of works for maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building.</li> <li>• The carrying out of works urgently necessary for public safety, the safety or security of plant or equipment or the maintenance of essential services.</li> <li>• The erection of a boundary fence except as otherwise required by the Scheme.</li> <li>• Signage, except as otherwise required by the Scheme.</li> <li>• A temporary shed, structure or shipping container for construction purposes located on a site for which a building licence and/or planning approval has been granted.</li> <li>• Routine repairs and maintenance, except as otherwise required by the Scheme.</li> <li>• The carrying out of any mining operations authorised by the Mining Act 1978, the doing of any lawful act, incident or conducive to mining operations and any activity that is exempt from the requirement of planning approval under any State Agreement Act.</li> </ul> <p>Given the remote location of Anketell, there may be other exemptions that would be appropriate in the circumstances.</p>
Section 7: Applications for planning approval	Sets out the requirements in relation to making an application for planning approval.	No comments required.
Section 8: Procedures for dealing with applications	Includes provision for consultation with other authorities, lists matters to be considered and affords the right to review a decision.	<p>It should be mandatory for the local government to be consulted in relation to any application for planning approval determined by the WAPC in the Improvement Scheme area. Matters to be considered by Council under Town Planning Scheme No.8 include the following matters that are relevant from a local community perspective to the introduction of the Improvement Scheme:</p> <ul style="list-style-type: none"> <li>• Any Local Planning Policy adopted by the Council ... and any other plan or guideline adopted by the Council ...</li> <li>• Any social issues that have an effect on the amenity of the locality.</li> <li>• The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.</li> <li>• The potential loss of any community service or benefit resulting from the planning approval.</li> </ul> <p>There should be a right to review any decision made in the Improvement Scheme area.</p>
Section 9: Enforcement and administration	Sets out the powers of the responsible authority and provides for delegations.	Provision should be made for the WAPC to either delegate decisions on planning applications in the Anketell Improvement Scheme area to the local government (ie. Development Assessment Panel in many cases) or require the local government to report to and make recommendations to the WAPC on applications for planning approval. Either way, the local government should be paid for the work it undertakes in assessing and/or determining applications.