10.1 Consultations with Other Authorities

10.1.1 In considering any application for planning approval the local government may consult with any other statutory, public or planning authority it considers appropriate.

10.1.2 In the case of land reserved under the Scheme for the purposes of a public authority, the local government shall consult that authority before making its determination.

10.2 Matters to be Considered by Local Government

The local government in considering an application for planning approval shall have due regard to such of the following matters as are in the opinion of the local government relevant to the use or development subject of the application:

a) the aims and provisions of this Scheme and any other relevant town planning scheme(s) operating within the Scheme Area;

b) the Local Planning Strategy;

c) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;

d) any approved Statement of Planning Policy of the Commission;

e) any approved Environmental Protection Policy under the *Environmental Protection Act 1986*;

f) any relevant policy or strategy of the Commission or any relevant planning policy adopted by the Government of the State of Western Australia;

g) any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;

h) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;

i) the conservation of any place that has been registered in the Register of Places under the *Heritage of Western Australia Act 1990*, or which is subject of an order under Part VI of the *Heritage of Western Australia Act 1990,* or which is included in the Heritage List under clause 7.1 of this Scheme, and the effect of the proposal on the character or appearance of a Heritage Area;

j) the compatibility of a use or development with its setting;

k) any social issues that have an effect on the amenity of the locality;

l) the cultural significance of any place or area affected by the development;

m) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;

n) whether the land to which that application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;

o) the preservation of the amenity of the locality;

p) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;

q) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, maneuvering and parking of vehicles;

r) 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;

s) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;

t) whether public utility services are available and adequate for the proposal;

u) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);

v) whether adequate provision has been made for access by disabled persons;

w) whether adequate provision has been made for the landscaping of the land to which the planning application relates and whether any trees or other vegetation on the land should be preserved;

x) whether the proposal is likely to cause soil erosion or land degradation;

y) the potential loss of any community service or benefit resulting from the planning approval;

z) any relevant submissions received on the application;

aa) the comments or submissions received from any authority consulted under clause 10.1.1; and

bb) any other planning consideration the local government considers relevant.

10.3 Determination of Applications

In determining an application for planning approval the local government may:

a) grant its approval with or without conditions;

b) refuse to grant its approval.

10.4 Form and Date of Determination

10.4.1 As soon as practicable after making a decision in relation to the application, the local government shall convey its decision to the applicant in the form prescribed in Schedule 7 to the Scheme and the date of determination shall be the date given in the notice of the local government's decision.

10.4.2 Where the local government refuses an application for planning approval the local government shall give reasons for its refusal.