Planning and Development Act 2005

Order to City of Nedlands under section 76(1) of the Act

1. I, the Hon Rita Saffioti MLA, Minister for Planning, pursuant to section 76 of the Planning and Development Act 2005, order the City of Nedlands to initiate an amendment to Town Planning Scheme No. 2 as outlined in the representation by the Negus Family, dated June 2016 (attached), and modified as follows:

   i. Resolution 1 be modified by replacing the proposed Residential R40 coding with Residential R80; and

   ii. Include a new resolution to introduce an Additional Use for the amendment area as follows.

<table>
<thead>
<tr>
<th>No.</th>
<th>LOT NO.</th>
<th>STREET</th>
<th>ZONE</th>
<th>ADDITIONAL USE PERMITTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>TBA</td>
<td>50</td>
<td>Adelma Road, Dalkeith</td>
<td>Residential and Retail Shopping</td>
<td>Dwelling House – Multiple</td>
</tr>
<tr>
<td></td>
<td>367-368 and 371-378</td>
<td>Philip Road, Dalkeith</td>
<td></td>
<td>Prior to the application and commencement of development, a Local Development Plan being prepared and approved by the City of Nedlands pursuant to Part 6 – Local Development Plans of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.</td>
</tr>
</tbody>
</table>

2. The City of Nedlands is to comply with this order within 60 days of the date of the order.

Signed this 23rd day of October 2017

HON RITA SAFFIOTI-MLA
MINISTER FOR PLANNING
Planning and Development Act 2005
Order to City of Nedlands under section 76(1) of the Act

Reasons for Decision

I, the Hon Rita Saffioti MLA, Minister for Planning, am satisfied on representations before me that the City of Nedlands has failed to initiate an amendment to its Town Planning Scheme proposed by owners of land in a case where such an amendment ought to be initiated, for the following reasons:

1. I consider that the proposal to rezone Lot 50 Adelma Road and Lots 367-368 and 371-378 Philip Road, Dalkeith, is in keeping with the principle of supporting higher residential densities in and around activity centres consistent with Directions 2031 and Beyond and State Planning Policy 4.2 – Activity Centres for Perth and Peel and, as such, it is appropriate that the proposal be initiated (as modified) to allow for the amendment to be advertised for public comment and further detailed assessment to be undertaken through the scheme amendment process.

Signed this 23rd day of October 2017

HON RITA SAFFIOTI MLA
MINISTER FOR PLANNING